

ANC – a Legitimate Giant?

The Legitimacy of the ANC Government in South Africa

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ABBREVIATIONS

ANC	African National Congress
COSATU	Congress of South African Trade Unions
DA	Democratic Alliance
GEAR	Growth, Employment and Redistribution
HSRC	Human Sciences Research Council
IDASA	Institute for Democracy in South Africa
IFP	Inkhata Freedom Party
MK	Umkhonto we Sizwe, armed wing of the ANC
NNP	New National Party (Former National Party)
NP	National Party
PAC	Pan African Congress
RDP	Reconstruction and Development Program
SACC	South African Council of Churches
SACP	South African Communist Party
SANGOCO	South African Non-Governmental Coalition
SAPA	South African Press Association
SADC	Southern African Development Community
StatsSA	Statistics South Africa
TRC	Truth and Reconciliation Commission
UDF	United Democratic Front
UDM	United Democratic Movement
UNDP	United Nations Development Programme
ZAR	South African Rand, 1 ZAR equals 1.1 NOK (September 21 st 2005)

1. INTRODUCTION

The Norwegian journalist Tømm Kristiansen met a woman in Ethiopia just after the national election in May 2005. The woman had voted for the party in government, the EPRDF (The Ethiopian People's Revolutionary Democratic Front). She did not endorse their policy and governing, so he asked her why she voted for them and not for the opposition. She looked at him frowning, asking who would want to vote for a party without power. EPRDF was the only party with power in Ethiopia; therefore it was the only one able to change anything.

In a democracy people need to believe that the party they vote for is able to make a change. For people to have an incentive to vote for the opposition, it must be a viable alternative to governmental power. Common characteristics of young post-colonial democracies are a fragmented and poorly institutionalized opposition and a very strong ruling party. How does a structure like this affect the legitimacy of a government?

In 1994 South Africa was liberated from the authoritarian regime of apartheid. The legacy of apartheid left South Africa as one of the most unequal countries in the world. The first democratic election with universal suffrage gave the African National Congress (ANC) more than 60 percent of the votes. In the two subsequent national elections, the support for the ANC has increased to be 70 percent in 2004. Half of the population is still below the UN national poverty line. The opposition in South Africa consists of many but small parties, and is not threatening the governmental power of the ANC. Do South Africans, like the Ethiopian woman, vote for the ANC because they are in power? Or do they vote for them because they brought freedom to South Africa? How do these factors influence the legitimacy of the ANC government and what is the basis and motivation for their legitimacy?

1.1 Democratic consolidation and legitimacy

In South Africa, like in several other Sub Saharan African countries, there has been a transition to democracy after authoritarian and colonial rule. Some countries, like South Africa's neighbor Zimbabwe, have experienced a period of democracy only to return to authoritarianism. Preventing this from happening in South Africa is a question of consolidation of democracy. Some consider consolidation of democracy to be proportional with the duration of democracy. A breakdown of a democratic regime should thereby be less likely the longer it has existed. With data from the Afrobarometer survey, Bratton et al show that this is not the case. They argue that democratic consolidation is a question of institutionalization and legitimation of democracy (Bratton et al 2005: 27). This view integrates the micro and macro levels through adopting both an institutional and a cultural approach to democratic consolidation. The institutional approach concentrates on the development of the macropolitical institutions. The starting point for institutionalists is rules and their legality, for instance through elections and the separation of powers. The other main approach to democracy is the cultural, which begins at a micro level. The cultural approach looks to the people, it focuses on personal attitudes and values (Ibid: 26). From here most culturalists focus on mass orientations and electoral behavior. The reasoning is that a democracy needs people who use the democratic channels, and even defend democracy if necessary.

Researchers of democracy like Robert A. Dahl and Samuel P. Huntington have focused on democratic structures like elections and rights. Dahl's minimalist definition of democracy of competition and participation signifies a universal right to vote and requires parties to represent people's interest. The culturalists concentrate on mass orientations through electoral behavior and people's expectations to and trust in their governments and institutions. With Bratton et al I argue that when looking at democratic consolidation in South Africa there is a need for both an institutional and a cultural approach. Democracy in South Africa can not develop without democratic institutions like free and fair elections and parties to represent the interests of the electorate. Nor can it develop without the electorate believing in the legitimacy of the

institutions. This thesis concentrates on the legitimacy of the ANC government in South Africa. I will focus on people's attitudes and electoral behavior, and I will discuss the political parties and social movements as institutions where people can express their beliefs and attitudes.

South Africa's past of apartheid makes the integration of an institutional and a cultural approach especially relevant. Racial segregation was forced upon the institutions and the culture of the country for several decades. The apartheid regime did have democratic institutions like an elected parliament, political parties and political rights. But they were limited to only include the white population. South Africa also had an independent judiciary, but the law applied to people according to race. Democratic institutions existed, but not the democratic concept of universalism and equality. On a cultural level, the idea of separate development and denying the non-white population a possibility to participate in governing has left a majority of the South African population without democratic experience. This may affect their attitudes to democratic participation and electing a government. How does this institutional and cultural legacy influence electoral behavior and mobilization today?

The apartheid regime denied a majority of the population access to most of the resources in the country. This has left South Africa with great socioeconomical inequality. Poor South Africans expected things to change with the introduction of democracy in 1994. They expected to get a salary and to be part of what they hoped to be the new, prosperous South Africa. But the socioeconomic situation has not changed much yet. Still, 70 percent of the South African population vote for the ANC and even more among the black population which embodies a majority of the poor. The question is if a democratic government can claim to be legitimate when the inequality is this severe. Will South Africans continue to vote for the ANC if this does not improve?

1.2 Focus and definitions

Research Question

My focus in this thesis is the legitimacy of the ANC government in South Africa. Legitimacy stems from the beliefs of the people, but must have institutions to be expressed. In South Africa this happens through the political parties and other political institutions like social movements. I will look at the legitimacy of the ANC government, and I will look at the sources of this legitimacy. In a democracy one obvious source of legitimacy is getting votes from the people in a competitive election. The ANC gets strong support in elections, but winning an election is not sufficient to be legitimate. 50 percent of the South African population is defined to be below the poverty line by the UNDP (UNDP 2003: 70). This situation is not changing, but people continue to vote for the ANC. Does this imply that people vote for the ANC for another reason than the outcome of its policy? Is there some other kind of authority backing the ANC up and giving them legitimacy in the eyes of the people?

People need institutions to be able to express their attitudes and beliefs in a democracy. They need a choice of alternative governments. Is there any relevant alternative to the ANC in government in South Africa? Is there real competition for power? And if there is not, how does this affect the legitimacy of the government?

My overall research question is

“To which extent is the ANC government in South Africa legitimate today? What are the sources of this legitimacy?”

Definitions

Legitimacy is a vague term in political science. For a government to have authority in a democracy, it must be “legitimate”. I define the “legitimacy of the ANC government” as the “legitimate authority of the ANC government”. A legitimate government has got the authority to rule over the people. A government that is ruling a country does have authority, but it may be legitimate or not. Robert Mugabe’s government in Zimbabwe has got authority, but it is not considered to be legitimate.

Legitimacy is linked to trust; people trust an institution to make decisions if it is legitimate (Østerud et al 1997: 138). Max Weber defines an institution as legitimate as long as people believe it to be legitimate (Beetham 1991: 6). David Beetham defines power as legitimate where it is “acquired and exercised according to justifiable rules, and with evidence of consent” (Beetham 1991: 3). In this are both a macro (rules) and a micro (people’s consent) perspective. Beetham extracts three dimensions of legitimacy which I will use in my discussion of the term: legitimacy must build on established rules, the people must express their consent with the government and the rule must build on some sort of shared beliefs. With this Beetham adds an institutional aspect to the question of legitimacy. Legitimacy is not only about people’s belief in it; it also needs the institutions for the people to express the beliefs. I will discuss this more thoroughly in chapter 3 “Theory”.

Democracy has got many different definitions. My starting point is the minimalist definition by Robert A. Dahl: democracy requires participation and contestation; i.e. democracy requires participation from a majority of the citizens, and it requires parties competing for power (Dahl 1971: 1). Huntington defines democracy as consolidated when a post-transition government has lost elections twice, and given up power peacefully (Huntington 1991: 266-267). This definition of democratic consolidation is very strict, it leaves out many countries which are usually regarded as democratic, for instance Japan and South Africa. Still, it is relevant in the case of South Africa as it opens a discussion on peaceful turnover of power. The question is how much the ANC, and Thabo Mbeki as President will do to stay in power, when eventually it is threatened by the opposition. With Bratton et al I argue that democratic consolidation in South Africa is a question of democratic institutions and legitimacy. It is a question of the degree of democratic consolidation more than of being democratic or not.

Some country-specific terms should be explained. When discussing South Africa it is inevitable to use the former classification of races. During apartheid people were defined as belonging to one of four main categories: Black (or African), Colored, Asian and White. During apartheid the races were segregated in all aspects of life,

where they could be, which school they could go to, which beach they could be at, who they could have an intimate relationship with and which bench they could use¹. Segregation was gradually abolished until the fall of apartheid in the beginning of the nineties. But the legacy of the segregation is still seen today. Many areas are still almost exclusively inhabited by one racial group and almost all the poor people of South Africa are black while white people have higher wages than others, have better housing and are better educated. Since the socioeconomic differences between the races are so evident, race is a variable to consider when analyzing South African politics. The terms Black, Colored, Asian and White are still frequently used in all sectors of society and culture in South Africa, and I will also use them in this paper.

I use the term “the struggle” for the fight for democratic rights in South Africa. The time period I refer to is about three decades, from the beginning of the sixties to the beginning of the nineties. People were fighting against apartheid before that too, but the struggle was intensified after the Sharpeville massacre in 1960, see chapter 2.

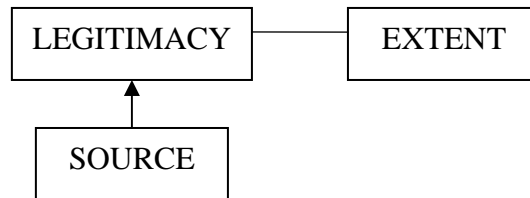
The terms “dominant” and “subordinate” are being used in discussions of authority and loyalty. By the “dominant” I mean the state and its administration. In Weber’s classification of authority he describes authority related to three levels: authority between a ruler, an administration and the subordinates (Hagtvat 1978: 249). In the South African democratic form of dominance I include the three state powers as part of the dominant: the parliament (legislative), the government (executive) and the courts (judicial).

I also speak of the “elites”. By this I mean both the political and the economic groups with power in the South African society. In addition to the dominant groups this includes business leaders and leaders of other organizations with power in society like the church and non-governmental organizations.

¹ The most important segregation laws were the Population Registration Act which classified the races, the Separate Amenities Act which regulated the different races’ access to facilities and the Group Areas Act which regulated where the different races could reside.

1.3 Methodology

This is a case study with the unit “legitimacy of the ANC Government”. I use several theories to look at the extent and the source of the legitimacy; they are explained in chapter 3. A sketch of the research question is:



My sources for the study are literature and field work in Cape Town conducted in March – April 2005. I got literature from the library at the University of Oslo (UiO), and connected libraries such as the one at Christian Michelsens Institute in Bergen. I also use analyses of the Afrobarometer survey, conducted from 1999 to 2001 in 12 Sub Saharan African countries. I mainly use *Public Opinion, Democracy and Market Reform in Africa* (Bratton et al 2005) and Afrobarometer working papers (Afrobarometer 2005 [homepage]).

I use information from several homepages mostly of South African organizations, government bodies and papers. The ones I use the most are the homepage of ANC, The Independent Electoral Commission (IEC), which is a government appointed commission to monitor and manage the elections, the weekly paper Mail and Guardian and the United Nations Development Programme (UNDP) for information on economic development in South Africa. I also use homepages of opposition parties, social movements, South African and other Newspapers and of government institutions.

I interviewed seven key-persons and ten people living in the township Khayelitsha outside Cape Town. To answer my research question I needed a political analysis of the South African society. I also needed to speak to people to get an impression of their opinion of the government. For the key-person interviews I contacted the partners of the ruling Tripartite Alliance and the main opposition party, as well as two persons

who could give me a general analysis of South African politics. For the interviews with “regular people” I wanted a focus group which could tell me something about loyalty to the ANC and about satisfaction with the government. To be able to limit the number of interviews according to my resources, I chose to interview people who in my view had least reason to be satisfied with the government. The starting point for the thesis is about government delivery. The hypothesis is that the government will lose legitimacy at some point because it is not doing enough about the social inequalities in South Africa, and about the widespread poverty in the country. Poor people live in the rural areas and in the townships surrounding almost all cities in South Africa. Because of the apartheid system, Blacks are in general poorer than others, and because of forced removals Blacks in townships outside cities were placed together in economic unfavorable environments. I chose to do my interviews in one such township: Khayelitsha outside Cape Town.

By using different sources like literature, Afrobarometer surveys, articles, interviews, newspapers and homepages I hope to get a nuanced and updated picture of the situation in South Africa. The different sources must be interpreted in a context, but they do supplement each other in drawing a more detailed picture of the legitimacy of the ANC government than I would have got by not using them all.

1.4 Operationalization, Validity and Generalization

Are the operationalization of the research question and the sources I use appropriate for answering the question? I explain how I have operationalized the terms I use, and I discuss some sources of information.

My dependent variable is “the legitimacy of the ANC government”. As mentioned, legitimacy is a vague term, and is therefore difficult to measure. I chose to use David Beetham’s three dimensions of legitimacy because I thereby got to explore the sides of legitimacy which I find most relevant for South Africa. To discuss the sources of legitimacy I discuss Weber’s ideal types of authority, namely legal-rational, traditional and charismatic, of which the emphasis is on the last one.

I extract two important independent variables in the analysis of legitimacy: delivery of the government and political space (See chapter 4). With Juan Linz (see chapter 3) I define government delivery as efficacy and effectiveness. From this I look at ANC's economic policy and how it is received by people and on the outcome of the policy and the socioeconomic situation of the country. Political space is measured by mobilization of the South African electorate. The share the parties mobilize I measure as the share of votes they get in the national election. I also include mobilization through social movements. For this mobilization I look at the attention they get in newspapers, and how many members they have.

The variables I discuss in the analysis all have many possible meanings. I have had to make a choice as to what I wanted to include. I have used several theories, explained in chapter 3, to extract the most relevant variables for an analysis of the legitimacy of the ANC government. It is not a quantitative approach of exact numbers; it is a qualitative approach with an intension of including the relevant discussions.

I did ten interviews in Khayelitsha. I do not claim that they are representative for South Africans in general. I chose to do interviews in Khayelitsha because one could expect people here to be dissatisfied with the government, and therefore that they would be losing faith in the ANC. The universe is chosen because of its ability to strengthen a theory. This is what Yin calls analytical generalization (Yin 2003: 37). This is the same method of testing a theory as would be done in an experiment by a scientist in a laboratory. She would not try to get a statistical representative result, but rather do an experiment under special conditions which would support a theory or not. I chose the special conditions to see if my hypotheses could be strengthened or not. I regard it to be a social anthropologic methodological approach within a case study of political science. I have talked to some people to find out what their position is on some variables, but their answers cannot be generalized outside this universe.

I have used articles from newspapers in my research. It may be somewhat coincidental what issues are dealt with in the papers. But newspapers are important as channels for political debate. If COSATU strikes, it has larger impact if it is noticed in the papers than if it is not. I use papers as a source for locating the political hot spots.

1.5 Khayelitsha interviews

Khayelitsha as a township was established in the early 80's. It is situated about 35 kilometers outside Cape Town. The number of people assumed to live there varies; some say it is as many as one million people, but according to the online newsletter "Come 2 Cape Town" there are about 400 000 inhabitants in Khayelitsha (Come 2 Cape Town 2005 [homepage]). The township is becoming a significant tourist destination. Tourists want to see the "other side" of South Africa, and the special culture in townships is a great way of seeing something else. Khayelitsha is the fastest growing township in South Africa. There are many shacks because of widespread poverty, and there are many government supported houses. Poor people can get government support for materials to build a house. Khayelitsha is developing. The shacks are getting fewer, and more employment is moving into the townships with business and services settling there. Both government and NGO programs are supporting development in the township (Ibid.).

I chose the township because of the many poor people living there. I had to use a guide; it is still not recommended for a white person to walk around on her own as a stranger in the township. I got in touch with a girl who lives in a community in Khayelitsha called Harare. This is traditionally a community with many shacks, but mostly thanks to government support there are more and more houses. Still it is a poor community. I did 10 interviews in Harare in two days, and I spoke to some organizations operating in the area.

The interviews

I used an interview guide for my interviews (Appendix 1). The interviews lasted from 15 minutes up to one hour. Some of the interviewees were very talkative, and answered several questions at the time while others were hard to get to talk and I had

to specify the questions, and even use examples they could chose from for them to answer.

The aim of these interviews was to find out about the interviewees' political participation, their thoughts on the government and its delivery and also how loyal they were to the ANC. The questions were about the interviewees' political actions, especially on participation and their opinion on government efficacy. I asked them what they voted for and why, and if they were politically active in any other way. I also asked them about government effectiveness and about the ANC and what they thought about the party and how they felt about politicians.

The communication at the interviews in Khayelitsha was sometimes difficult. English is much spoken, but it is not the first language of people living in Khayelitsha². People who were engaged in community work and people employed in the formal sector understood easily what I was talking about. But at least two women did not seem to understand the entire interview (Khayelitsha 2005, no 4 and 5 [interviews]). They both said at some point of the interview, when I tried to ask them about their opinion on the government, that they didn't have the language to express what they were thinking. In interview no 5 my guide was with me, and translated some of it, but it seemed like the interviewee was not in the line of thinking of my questions. For those two interviews the question: "What do you think of the government?" didn't seem to make sense. The government is governing, and they are doing what they can. They wouldn't analyze the way the government is working.

There were great variations among the interviewees as to how much I got out of the interview. There were differences among the interviewees as to whether they were employed in the formal (Interviewee no 1, 6, 8 and 10) or informal sector³ (Interviewee no 3, 4 and 5) or were unemployed (Interviewee no 2, 7 and no 9 who was in school), and to whether they engaged in community work (Interviewee no 1, 2, 3, 6, 7 and 8) and not (Interviewee no 4, 5, 9 and 10). Interviewee no 4 and 5 were

² Their first language is Xhosa; most of them have English as second language.

³ For definition of informal sector see footnote 6 in chapter 2.3.

both employed in the informal sector (one selling fish from her house, and the other cleaning houses, but not full time), and they were not engaging in community work. In addition to possible language problems, this complicated the communication at the interviews. They were clearly not used to the analytical way of thinking as the interviews required. The people engaging in community work, or who were employed in the formal sector (all working with community related issues) were all much more aware of problems in their community, and more analytical in how they were thinking about them.

The interviewees were from 20 to about 50 years old. There were eight women and two men. One lived in a shack while the rest lived in government supported houses. All ten said they had little money, but most of them said they managed, either because they did not spend much, or by working extra shifts.

1.6 Key-person interviews

I did seven key-person interviews. ANC is governing South Africa in alliance with the congress of labor unions and the Communist party. I interviewed the three partners of this Tripartite Alliance: Ben Sizane, employed at ANC's Regional Office in Cape Town, Khaya Magaxa, Provincial Secretary of the Western Cape in the South African Communist Party (SACP) and Tony Ehrenreich, Regional Secretary in The Congress of South African Trade Unions (COSATU). I interviewed two Parliamentarians from the Democratic Alliance (DA), the main opposition party; Ryan Coetzee (spokesperson on health) and Helen Zille (spokesperson on education). I also interviewed Jonathan Faull at The Institute for Democracy in South Africa (IDASA) and Berry Streek, former journalist and political analyst, now editor in Chief at Jonathan Ball Publishers. My purpose with these interviewees was to get an overview of the political situation in South Africa, and an evaluation of the political space, the opposition and the delivery and authority of the ANC government.

Interviews

I used an interview guide for the interviews (Appendix 2). Carrying out these interviews was a lot easier than the Khayelitsha interviews. The key-persons were

chosen because of their knowledge or their political work, and were all very engaged in talking about it. The interviews lasted from half an hour (Ryan Coetzee from the Democratic Alliance (DA) had very little time) to about an hour and a half. Because of the DA interview being short, I did another interview with Helen Zille from the DA. This I did by e-mail.

When interviewing one person in an organization, one might not get the official view of the organization. For the political parties, they are careful not to say anything that would conflict with the party view, so their answers are likely to be in line with the official policy.

1.7 Outline for the thesis

Chapters two and three constitute the background, empirical and theoretical, for the thesis. In chapter two I emphasize the history and the legacy of apartheid in South Africa. I also focus on the socioeconomic situation of the country today. Chapter four contains the rationale for the discussion and the analysis in the remaining chapters. I explain the hypotheses I extract from chapters two and three and the focus for the rest of the thesis. In this chapter I define which parts of the theory are relevant for the research question and which parts are not.

Chapters five, six and seven constitute the analysis of the thesis. In chapter five I discuss the delivery and authority of the ANC government, and in chapter six I discuss the political space in South Africa, electoral behavior and the potential for mobilization. I also look at the strong ANC and the weak opposition. In chapter seven I conclude the discussion about the legitimacy of the ANC government. I pick up the discussions from chapters five and six, and see them within the framework of Beetham's dimensions of legitimacy.

2. THE NEW SOUTH AFRICA AND THE LEGACY FROM THE PAST

To understand the strong support for the ANC in South Africa today one must be aware of the history of the country. History is part of the explanation of which are the leading political actors today, and the past is also the reason for the major problems and challenges the country is facing. In this chapter I will in brief describe the rise and fall of the apartheid regime and the transition to democracy. I will also describe the main actors in South African politics.

2.1 The Struggle

In 1910 various political groups of Afrikaners, British and independent tribes united in the Union of South Africa (Terreblanche 2002: 239). Industrialization of the country led to a need for cheap labor in industry and agriculture. Both the British and the Afrikaners exploited Africans by forcing them into underpaid labor. This cheap, black labor was the reason for the Union being able to export gold at a high profit. Modernization thus consolidated white supremacy and racial capitalism (Ibid). During this period the British adopted segregation of the races as the country's native policy (Ibid: 241).

The South African Native National Congress (Later the African National Congress, ANC), was founded in 1912, only two years after the South African Union. It worked for democratic rights and non-discrimination for all South Africans. Already at this point it was obvious that Africans interests were second to white interests.

The National Party (NP) was established in 1914, mobilizing poor Whites, mostly Afrikaners. They introduced the idea of "apartheid"⁴ during the election campaign in 1948. The policy was not so different from the British segregation policy. But it was more explicit in the discrimination of Africans, they introduced "separate

⁴ "Apartheid" is Afrikaans for separateness (Østerud et al 1997: 14).

development” and Africans were not only to be treated apart from whites, they were to be treated as “subordinate” human beings.

The ANC worked to prevent this development, where Africans’ rights were more and more limited. Until the 1940’s they were careful not to act in any way that could be considered illegal (Terreblanche 2002: 281). They tried to influence the government with arguments and through debating, but they were not heard. From the 40’s the organization was radicalized, most importantly through the creation of ANC Youth League (ANCYL) in 1944, where Nelson Mandela was one of the founders (ANC 2005 [homepage]). In 1949 they adopted the first common strategy against white domination (Terreblanche 2002: 283). The strategy was called “Program of Action” and opened for the use of boycotts, strikes and non-cooperation (ANC 2005 [homepage]).

From the 50’s and onwards, the ANC had frequent demonstrations against different regulations from the Government. During a demonstration in Sharpeville in 1960 against the pass laws, the main law used for influx control, the police shot down and killed 69 people. This led to massive protests against the Government, which answered by banning both ANC and PAC and arresting thousands of people (Terreblanche 2002: 306). After this the ANC turned to violent resistance, and set up a military wing: Umkhonto we Sizwe (MK), “Spear of the Nation”.

At the same time, the government started arresting people in a large scale. After a raid at Rivonia Farm in 1963, the government arrested most of the ANC leadership. Nelson Mandela, Walter Sisulu, Govan Mbeki and others were sentenced to life imprisonment in June 1964 (ANC 2005 [homepage]). The majority of the ANC leadership was imprisoned at Robben Island, which became a leading ANC branch during the seventies and eighties.

After the Rivonia trial, most of the ANC leadership was either in prison or in exile. This made the umbrella organization United Democratic Front (UDF) the main actor

in the fight against the apartheid regime. Because of the brutal and thorough government action against the resistance movements during the 60's, the movement was largely inactive for a whole decade (Terreblanche 2002: 349). A turning point in the struggle came with the Soweto uprising 16th in June 1976 when the youth of Soweto demonstrated in the streets against the use of Afrikaans in school. The youth showed that they were still willing to fight. This started mass protests, both inside and outside South Africa, which lasted until the fall of the apartheid regime in the beginning of the nineties. The ANC had a marginal role in the Soweto uprising (Terreblanche 2002: 352). But the ANC exiles were important for gathering support internationally for a democratic South Africa.

The fall of the apartheid regime was thanks to many organizations; it was because of joint forces that it was possible to measure up to the strong enemy, the apartheid Government. When the fight was over, the ANC successfully claimed it to be their victory (Ehrenreich 2005 [interview]). Mandela was the icon, the personification of the long fight, and the liberation. He was the obvious leader of the new, democratic government, and ANC was the obvious party to vote for to most of the former suppressed population. In the first national election in 1994 ANC got more than 60 percent of the votes (IEC 2005 [homepage]).

2.2 The Transition

The transition to democracy in the beginning of the 90's was negotiated by the ANC and the apartheid Government. The apartheid government was pushed by the international community as well as by more and more people in South Africa. They demanded democratic elections; open to all the peoples of South Africa. During the negotiations the ANC also had to give up on some of its demands, among other things a power sharing the first years of democracy and a conditional amnesty for perpetrators.

The first government of the democratic South Africa was an arrangement called the Government of National Unity (GNU). GNU consisted of people from the ANC and

the NP, as well as from the Inkhata Freedom Party (IFP). Most of the violence which took place during the transition happened between the ANC and the IFP, so the IFP was an important participant in the negotiations, and later in GNU. GNU split up in 1996, two years before intended, when the NP broke out of it.

The Truth and Reconciliation Commission (TRC), lead by Archbishop Desmond Tutu, was an important arrangement to help South Africans move on after the fall of the apartheid regime. It operated from 1996 to 1998 and received more than 20 000 submissions from victims and nearly 8 000 applications for amnesty from perpetrators (Freedom House 2004 [homepage]). It dealt with atrocities committed not only by the apartheid government, but by all actors in the struggle, also the ANC and the IFP. The most important feature of the TRC was that it gave South Africans a shared understanding of the violations committed during apartheid, and that it created openness about the past. It identified perpetrators and it recognized victims. It was recognized that atrocities were committed, which was important to be able to move on for the victims. The TRC discredited the apartheid system in the eyes of almost all South Africans. No-one could openly support apartheid after the open witness hearings.

2.3 Socioeconomic situation and legacy from apartheid

South Africa's history of apartheid has left the country in a state of great inequality. A minority of the people was given control over almost all the resources in the country, while the majority was denied access to almost everything. Having had a negotiated transition, the economic policy of the ANC government has been influenced by the economic elites from the old regime. To get a reform in the business, the government had to consider their interests in their economic policy. Stephen Gelb from the University of Witwatersrand calls it an "implicit bargain" between the ANC and the mainly white business of South Africa: ANC committed to macroeconomic stability and international openness, and the business reformed its ownership, opening up to the black middle class, and thereby changing the racial structure (Gelb 2005: 369).

The greatest challenges in South Africa today are inequality and unemployment, and they are closely connected. Except Brazil, South Africa is the most unequal society in the world today. One measure of inequality is the Gini coefficient⁵. In 1995 Norway had a Gini coefficient of 0.26 (SSB 2005 [homepage]), while South Africa had a Gini coefficient of 0.63 in 2001, up from 0.59 in 1993-94 (UNDP 2005 [homepage]). This is still believed to be increasing. Since democracy was introduced in South Africa the difference between the rich and the poor has increased. The economy has improved, but it has not gained the poor. Wealth, i.e. assets, is even more unequal distributed than income. Wealth does not only bring material assets to a household, but also security and power (UNDP 2003: 72). A poor household is very vulnerable to changes or disturbances in their normal income, for instance caused by illness. This may cause severe problems in getting food on the table, while a household with some accumulated savings is more able to shake off such temporarily income decreases. The elites in a society are also more participating in politics and decision-making in society, they have more influence both on the agenda discussed, and on the decisions made (Varshney 1999). Thus the interests of the poor are often not as visible in a democracy as other interests.

Unemployment constitutes a major problem in South Africa today. Following Fafo's labor force survey for South Africa, Mesebetsi, conducted in 1999/2000, the unemployment rate is 32 percent or 45 percent depending on the definition of unemployment (Tørres 2001: 8). The strict definition is people who are without work, who are available and actively looking for work. This is 32 percent of the South African work force. The expanded definition does not require that people are actively looking for work, which makes out an unemployment rate of 45 percent in South Africa. Probably a share of the people who are not looking for work in South Africa has given up because there are few jobs to look for. This makes the unemployment rate likely to be higher than it is with the strict definition.

⁵ The Gini coefficient ranges between 0 for perfect equality and 1 for perfect inequality.

About 60 percent of the working population is employed in the formal sector (Tørres 2001: 16). About 20 percent of the working population is employed in agriculture and domestic work, and 20 percent is in the informal sector⁶. The informal sector does not follow government regulations such as tax and security regulations, as well as health and security rules for the employed. The informal sector has increased the last decade; in 2002 about two-thirds (63 percent) of the working population was in non-agricultural formal employment, while the number was 70 percent in 1995 (UNDP 2003: 147).

One of the major problems related to unemployment in South Africa, and partly causing it, is lack of skills, especially among Africans (UNDP 2003 chapter 7). This is caused by the inferior education that Africans got only a couple of decades ago. The apartheid state reformed slightly during the 70's and 80's, to get more accept, but still maintain the white power. In 1995 a whole 67 percent of the African population had no education at all or only primary school, whereas the number for whites was 22 percent (Tørres 2000: 499). The development the last decade has been an increasing number of skilled jobs, while the number of unskilled and semi-skilled jobs has been decreasing (Tørres 2001: 24). Africans are increasingly employed in almost all occupational categories in the South African UNDP report, except for "professionals" and "skilled agricultural and fishery workers" (UNDP 2003: 144). The development in the job market affects the unskilled workers most, and here the African population is overrepresented.

Another legacy from apartheid, keeping up the structures of inequality in South Africa is the segregated settlement pattern. The apartheid government constructed "homelands" for the Africans to live in as part of the segregation of the races. For instance the rural areas of today's provinces of KwaZulu-Natal and the Eastern Cape are almost congruent with some of the former homelands. There are almost no Coloreds, Asians or Whites living in these areas, even today. Numbers from Statistics

⁶ The Mesebetsi survey describes the informal sector as "including employees, employers, self-employed people or family business workers who work for private sector enterprises with 20 or less employees and in enterprises that are not registered or incorporated and do not keep a set of accounts separate from the household budget (Tørres 2001, note 5 p 70).

South Africa (StatsSA) from 2003 show that a lot more people in the former homelands are not economically active compared to other areas of the country (51 percent compared to 33 percent for women and 43 percent compared to 26 percent for men), and that the percentage employed in the formal sector is about half of what it is for the areas which were not homelands (7 percent compared to 18 percent for women and 18 percent to 36 percent for men) (People's Budget 2005:5).

Because of the need for cheap labor in the cities people were moved from the homelands to the townships outside the cities. These still represent one of the main structures for inequality. The Group Areas Act determined where the population groups could reside. Most blacks were concentrated in rural areas and in townships. This pattern of living is very much the same for South Africa today. Some of the better off in the townships have moved away, but the poor cannot afford to live anywhere else. This cements the socioeconomic structures. In the townships the unemployment rate is very high and a high percentage of the population is HIV infected or sick with Aids. The townships are somewhat away from the city centers, which makes the costs for transport to work higher for people living there than for people living in the cities. My interviewee no 8 was employed in an organization working with social problems in Khayelitsha. He explained that this structure is strengthened also because the Black people living in townships are usually employed in a lower position than whites or people not living in townships. Therefore they are seldom the ones to get travel allowances (Khayelitsha 2005, no 8 [interview]). So the people in the townships are the ones with the highest travel expenses, but they are rarely the ones to get them compensated.

UNDP's recommendations as to how to increase employment among the poor concentrates on creating more skilled labor, and giving employees in the informal sector legal guarantees and social protection (UNDP 2003: 163ff). They recommend focus on labor intensive production, and training unskilled workers to get them into skilled labor. They also recommend reducing the living costs for the poor. Fewer and

fewer basic services are free, and this increases the financial constraints on poor households (UNDP 2003: 80).

COSATU has initiated a series of monthly demonstrations from 2005 to 2006 with a demand for the government to do more about unemployment. They demand a devaluation of the South African Rand, because with a strong Rand the elite is earning money, but it makes South Africa loose jobs because of increased expenses on export (SAPA June 27th 2005 [Newspaper article]).

There are a lot of government programs to improve skills among the poor. For instance a project in the Western Cape, called the “Red Door” is encouraging and guiding people who want to start small businesses in the province. This was mentioned by the ANC as a project that should make it easier for people with good ideas to follow them, and to get funding (Sizane 2005 [Interview]). They do have a problem with getting the poor to use the programs; the effect of them will probably increase once they become known to more people.

2.4 The New Actors

The most dominant actors in South African politics today are the ones who fought against the apartheid regime only a little more than ten years ago.

The liberation movement ANC

The ANC was founded in 1912. From 1960 it was an illegal organization, but was recognized as a political party again by the apartheid government in 1990. When the ANC was unbanned in 1990, and their main goal of freedom was on its way to be fulfilled, they would of course have great loopholes in their political strategies. Their leadership had been parted through exile and prison for almost three decades, and there had been no possibilities for gatherings or congresses to create the policies and political strategies needed for a party to govern. The Freedom Charter, adopted as a main strategy in 1955, was still the leading policy document on many issues.

The ANC as an organization was split in several “cultures” in 1990. The leaders of the organization were either imprisoned at Robben Island, in exile or activists staying in South Africa during the struggle, of which many had been active in the UDF. These groupings all practiced different organizational cultures. The prisoners on Robben Island had a culture of discussing all policy matters thoroughly, and then reaching a conclusion which was considered to be the best for all. The exiles were used to strict military discipline and not sharing all information, because of fear of spies from the apartheid government. The internal activists, organized through UDF, practiced more of a democratic culture with open debate and participation from all members (Gumede 2005: 292). The different cultures were competing in the ANC after the unbanning. With Thabo Mbeki as ANC president, the closed culture of the exiles is considered to be strong (Ibid: 293). Tony Ehrenreich of COSATU describes ANC today as a somewhat authoritarian organization (Ehrenreich 2005 [interview]).

Barry Streek describes the ANC as covering too much of the political spectrum to be a traditional political party in the Western sense (Streek 2005 [interview]). ANC is a “broad church for all” (Sizane 2005 [interview]). It regards itself as a mass movement “representing the whole nation more than a party competing against others for political power” (Gumede 2005: 239). Its policy is to include political opponents, both persons and organizations, through membership or political alliances.

The Tripartite Alliance

Many organizations were fighting along with the ANC during the struggle: the communist party (SACP), several organizations and labor unions under the umbrella of the United Democratic Front (UDF), the Pan African Congress (PAC), churches and others. The common struggle is the foundation for the alliances in South African politics today, the most important one being the Tripartite Alliance in which the ANC governs the country together with the SACP and COSATU. The roots of the Tripartite Alliance go back to the struggle and the cooperation between the organizations. It was formalized when the parties and organizations were unbanned in the early nineties. Because of the Tripartite Alliance COSATU and the SACP are collecting votes for the

ANC in the elections, and in return they participate in the formulation of government policy. SACP does not compete in elections on its own.

Both COSATU and the SACP complain that the ANC does not consider their demands when governing, only when an election is forthcoming. The ANC is the most powerful partner of the alliance, winning the elections and having the biggest institutionalized organization. But surveys show that the SACP would get about 15-17 percent of the votes if it had competed in the elections (e-Politics 2005, edition 2). This would have made it the biggest opposition party. COSATU has got about 1.8 million members (COSATU 2005 [homepage]). The ANC has got about 400 000 members (e-politics 2005, edition 3: 3) Many of the members of COSATU would probably continue to vote for the ANC even if the alliance broke, but the number of members does give COSATU some weight in the alliance. If COSATU and the SACP would break out of the alliance to form an opposition to the left of the ANC together, it would be a serious challenge to the ANC. But all three partners ensure that for now there is no intention of breaking the alliance (Sizane 2005, Ehrenreich 2005, Magaxa 2005 [interviews]).

Opposition

One of the main opposition parties until recently, the New National Party (NNP), has dissolved because of declining support and suggested their supporters to vote for their opponent, the ANC. The NNP were the successors of the former apartheid government party, the National Party (NP). The former liberals, the Democratic Party and the Federal Alliance created the Democratic Alliance (DA) in 2002 (DA 2005 [homepage]). This is now the biggest opposition party with 12.4 percent of the votes in the national election in 2004 (IEC 2005 [homepage]).

Opposition to the left:

Today there is no opposition to the left that constitute a real threat to the power of the ANC. There are a lot of parties to the left of the ANC, but they are small. The United Democratic Movement (UDM) broke out of the ANC in 1992. It got 2.3 percent of the votes in the 2004 election; and was the biggest opposition party to the left (IEC 2005 [homepage]). As long as the Tripartite Alliance exists, the ANC is covering the left.

The ANC has got both the communists and the labor unions mobilizing their votes. As long as COSATU stays a labor union, and does not split and turn into a political party, there is no real threat to the left.

The SACP is discussing whether they should compete in elections or not. The party holds a national congress every fifth year, the last one was in Durban in April 2005. The SACP is divided on the issue of competing in elections or not, but the national congress decided to stay in the alliance, and continue to mobilize votes for the ANC (Mail and Guardian April 15th 2005). The alliance serves the party's interests by giving them influence in the Government.

Ethnic opposition:

The majority of South Africans vote for the ANC, 70 percent of them in the 2004 election. The percentage voting for the ANC among the Black South Africans is even higher. In KwaZulu-Natal, many Zulus vote for the Inkhata Freedom Party (IFP). IFP got 35 percent of the votes in the province in the 2004 national election, while the ANC got 47.5 percent. The vote for the IFP has decreased since 1994. In 1994 the IFP got almost 50 percent of the votes in KwaZulu-Natal, while the ANC got about 30 percent. In 1999 they both got about 40 percent of the votes, and in 2004 the ANC got more votes than the IFP. In the other provinces the IFP does not get many votes, on a national level they got 7 percent of the votes in 2004 (IEC 2005 [homepage]).

Ethnicity and vote does not correlate perfectly. Many Zulus vote for the ANC, also in KwaZulu-Natal (Friedman 2004: 3).

The IFP has been using nationalism and fear in their election campaigns. They have argued that the ANC only would look after the interests of the Xhosa people, and not the Zulus (Faull 2005 [interview]). This has been proven wrong since 1994. In the last election they have tried to turn into a more traditional western conservative party, and have emphasized family values and the traditional Zulu values. This change in policy has just contributed in confusing the electorate (Ibid.). IFP has also got a successor problem. Mangozuthu Buthelezi started the organization in 1975, then called "Inkhata National Cultural Liberation Movement", and has been the leader of the organization

since (IFP 2005 [homepage]). Now he is getting old and no one special points out as his successor (Faull 2005 [interview]).

Ethnic opposition from Whites is the Freedom Front Plus, which got 0.9 percent of the votes in 2004 (IEC 2005 [homepage]). They are not a real threat to governmental power.

Opposition to the right:

The Democratic Alliance (DA) is the biggest opposition party in South Africa. They got 12.4 percent of the votes in 2004, up from 9.5 percent in 1999 and 1.7 percent in 1994 (Then as the Democratic Party) (IEC 2005 [homepage]). After the 2004 election they got 60 seats in Parliament (Parliament 2005 [homepage]).

The DA is especially strong in the Western Cape, where they got 27 percent of the votes in the last election (IEC 2005 [homepage]). Helen Zille, MP of the DA, explains this with the racial composition of the Western Cape (Zille 2005 [interview by e-mail]), there is a minority of blacks in the province. She thinks it is a racial vote rather than an ideological vote. The Western Cape is the only province in South Africa where Blacks are not a majority. There are about 50 percent Coloreds in the Western Cape, and about 25 percent Whites and 25 percent Blacks. The Colored vote on a national level is split in three: 1/3 is voting for the ANC, 1/3 for the DA and 1/3 for other opposition parties (Faull 2005 [interview]).

The DA is also using the fact that the white population of South Africa is used to the Westminster System which favors one strong opposition party (Faull 2005 [interview]). Ryan Coetzee explains the DA's many votes with it being a strong opposition party. People believe that they can oppose the ANC, even if the DA is a lot smaller (Coetzee 2005 [interview]). They got a big increase in support with the slogan "Fight Back" in the 1999 election (Faull 2005 [interview]); which refers to the two-party system of the Westminster system.

The DA is accused of using the white fear of the black majority to get votes (Faull 2005 [interview]). The “Fight Back” campaign is also interpreted to be “fight back the ANC”, and get a white ruling party again. They have not managed to get votes from ANC supporters who are looking for something else (Ibid).

The New National Party (NNP) does not exist anymore. Used to having governmental power during apartheid, they did not know how to be in opposition. Their electorate got confused by their different alliances and political strategies (Faull 2005 [interview]). First they were part of the Government of National Unity from 1994 and pulled out, two years before it ended, in 1996. After the 1999 election, they were in position in the Western Cape, and in opposition on the national level. This was confusing for their constituency in their strongest province. Now the NNP has dissolved. This has left a hole in the party system, and this resulted in a lower turnout in 2004 (Ibid).

Issue-based Opposition

Before democracy was introduced in South Africa, all movements were affiliated with political parties. They were all trying to overthrow the illegitimate apartheid government. In today’s democracy, the social movements are independent from the parties. Today they are in opposition to the ANC, which is not easy considering the cooperation in the past (Ballard 2005: 77). Through the Tripartite Alliance many of the opposition leaders from COSATU and the SACP are in government. There is a need for new people and new movements to form an opposition, but many of the leaders of these movements have also been active in the struggle, and feel attached to it (Ibid: 5). Many opposition parties agree with the ANC on the economic policy in South Africa today. The main economic opposition is the DA, which wants a more liberal economic policy and a freer market. It is left to the social movements to form an opposition to the left against the liberal economic policy. This applies to Anti-eviction campaign and The Landless Peoples Movement, both working with the housing problem.

Through the alliance with the ANC, COSATU cooperates with the ANC, and is possibly prevented from being as much in opposition to them as they would have been

otherwise. In this sense the alliance could reduce COSATU's impact on governmental policy, because they were quieted by it. But through arranging mass demonstrations and strikes against government policy they have shown that they are not afraid of going against the ANC. They also claim to get more influence over the government through the Tripartite Alliance (Ehrenreich 2005 [interview]). Most of the poor in South Africa are not employed in the formal sector, and so the labor union is limited as their channel of influence. But COSATU is concerned with the inequality in South Africa, and it does address the rights and problems of the poor. It also cooperates with other organizations working for the interests of the poor. Throughout 2005 COSATU has frequently arranged mass demonstrations and strikes to oppose to low levels of job creation and the economic policy of the ANC.

Ballard claims that the small size of the middle class in South Africa results in few organizations working for social justice (Ballard 2005: 86). In the Western Countries it is the middle class that makes out most of the "social justice organizations". But Jonathan Faull at IDASA says that the middle class is engaging, and increasingly (2005 [interview]). The Treatment Action Campaign (TAC)⁷ is a movement that engages the middle class. In South Africa poor people are engaging as well as the middle class. Organizations like the Landless People's Movement and the Anti-eviction campaign mobilize the poor. All organizations attract young people.

⁷ TAC is working for the rights of the HIV/ Aids infected people of South Africa.

3. THEORY

In this chapter I will present the theoretical background for the discussion on the legitimacy of the ANC government. My overall theoretical framework is David Beetham's three dimensions of legitimacy (Beetham 1991). In the analysis I build the discussion of legitimacy upon government delivery and ANC's source of authority. Here I will begin with a presentation of Juan Linz' division of delivery into efficacy and effectiveness. I resume by explaining Weber's different sources of authority. Then I go through Beetham's theory of the different dimensions of legitimacy. A crucial point of Beetham's dimension of "expressed consent" for South Africa is a real choice of government for the electorate. In a multiparty democracy with election of representatives to a Parliament, a real choice of government implies a competition for power through political parties. As instruments for analyzing party competition in South Africa I have chosen Juan Linz' theory of political space, Adam Habib on substantive uncertainty and Michels' "iron law of oligarchy".

3.1 Juan Linz: Efficacy and Effectiveness

One of my founding hypotheses is that the ANC government does not deliver to the poor. A relevant specification of "delivery" is done by Juan Linz by dividing it into "efficacy" and "effectiveness". He explains "efficacy" as being the policy where the solution to problems is described, while "effectiveness" is the actual implementation of policy (Linz 1978). These aspects both affect the legitimacy of a government. Efficacy influences legitimacy because people's belief in the government depends on their view of the government being able to solve problems in a good manner. Effectiveness affects legitimacy because people judge how the government performs. Both efficacy and effectiveness represent special problems for new regimes. The efficacy of a regime is judged by their previous performance in a long-term perspective. This is a problem for new regimes, since they have no past to show to (Linz 1978: 21). This problem increases because there are often high expectations to a

new regime, and if these are not met in their policy documents, they risk a considerable drop in legitimacy.

The effectiveness a government is judged by its actual implementation of policy and its outputs (Ibid: 22). And for a new regime a special problem is that they underestimate the opinion of the opposition. In a new regime, which has often got a disorganized and fragmented opposition, the government does not see the resistance their policies encounter. Where the government succeeds a despised regime, out of self-righteousness they may also overlook the valid arguments against their policy from the opposition, which otherwise could have improved the quality of the outputs (Ibid: 23).

3.2 Max Weber: Authority

Max Weber defines authority as the ability to command and the duty to obey (Weber 1971: 75). According to Weber there are three forms of justifications, or sources for legitimacy, for ruling. These are legal rule, traditional rule and charismatic rule (Ibid, chapter 4). They build on the three pure forms of authority which are the legal-rational, traditional and charismatic (Hagtvet 1978: 249). The legal-rational authority is based on law and specialization of the administration of the state. The leaders need rules to get legitimate authority, and the administration is selected because of their qualities. The pure form of legal-rational authority is the bureaucracy. In the bureaucracy the bureaucrats have the power to make decisions through rules and through their position in the hierarchy. The bureaucracy is supposed to be impartial, all citizens are equal. The legal-rational authority is the ideal for the structures of the authority of the modern state.

The traditional authority gives a leader inherited power of some kind. It is typically patriarchal dominance. The leader's power is limited by the traditional norms of society. Decisions are expected to be fair, just and reasonable. It is a utilitarian form of legitimacy. Authoritarian rule, which claims legitimacy based on custom, is also an example of a claim of a rule building on traditional authority (Weber 1971: 96). This is

a paternalistic kind of authority; one example is the policy of separate development of the apartheid regime in South Africa where white people were dominant and claimed to be superior to other races. They claimed to fit the development to the different races, each race developing in the area they needed to.

The third pure form of authority is the one I define as most relevant for the legitimacy of the ANC government, namely charismatic authority. Charismatic authority is given the leader's personal character and gifts. The leadership demands no rationale, no rules but the word of the leader. The leadership is executed on an irrational case-to-case basis. The legitimate authority continues as long as the disciples and the masses believe in the power given the charismatic leader. The source of the charismatic authority comes from the “outside”, like a god or a higher ideology. The charismatic leader is typically a prophet, a demagogue or warrior hero (Weber 1971: 100). The leader needs to prove his or her authority through successes (Ibid). If the outcomes of the leadership are not satisfactory to the people, the authority of the leader will decline. The charismatic authority only exists as long as the leader has the needed charisma and as long as the ruled believe in the leader's authority. When the leader loses power it doesn't necessarily disappear, it may continue in another way (Ibid: 101).

When the authority is transferred from a present leader to a successor there is a tendency of what Weber has labeled “routinization of the charismatic authority”. This tendency is significant to South Africa because of the development of the ANC from a liberation movement with Nelson Mandela as a leader, to a governing political party with Thabo Mbeki in charge. When a routinization of authority takes place the authority follows the succeeding leader either by making the structures of power traditional, by the transition of the charismatic staff into a legal staff, or by a transformation of the meaning of charisma itself (Ibid: 101-102). A transformation of the meaning of charisma is especially relevant in the question of finding a successor. With a change in leadership where the power of one leader is transferred to the succeeding leader, the authority follows not the person, but the position as a leader, the authority will be inherited by the next leader. Therefore the strong focus on person will

disappear, hence a transformation of the charismatic authority, a routinization of it. The successor may be pointed out, either by the old leader or by the charismatic administrative staff, or may follow a blood line (Ibid: 102-103). The question of finding a successor can also be solved in an anti-authoritarian way. The validity of the charismatic rule is based on the acknowledgement of the leader by the ruled (Ibid: 104). This support is expected by the charismatic leader, but can easily be transformed into democratic support through an election where the ruled give their support to the leader voluntarily with their vote. Like this an authoritarian rule based of charisma can turn into a democratic rule based on an election.

If a dominant power does not build on one of these forms of authority or any combination of them, power will soon be regarded as illegitimate by the subordinates (Hagtvet 1978: 250).

3.3 Conservation of authority - Loyalty

Loyalty creates a tie between the dominant and the subordinate. This tie will slow down the process of declining authority of the dominant, and will keep the relationship of dominant-subordinate longer than the legitimate authority will (Hagtvet 1978:247). Loyalty preserves the authority of the dominant. A people liberated from an authoritarian regime by an organization may feel a bond, or loyalty to that organization.

3.4 David Beetham: Legitimacy

In “The Legitimation of Power” (1991), David Beetham emphasizes the multidimensionality of legitimacy. He extracts three dimensions of legitimacy: established rules, shared beliefs and expressed consent. Legitimate power has to recognize all three dimensions.

The dimension of established rules is built on the concept of state sovereignty. This is the basis of all modern states, and this legality is widely recognized in all democracies today. The rules are expressed in the Constitution and the laws. Preconditions for

legitimate, legal governing are: the effective independence of the judiciary from the legislative and the executive branches of the state, and military subordination to civilian control (Beetham 1991: 122-124). The sovereignty is limited by super-state institutions.

Shared beliefs are the beliefs which are underlying the constitution. The beliefs are not about who governs, but about what kind of government *system* the citizens live in. The shared beliefs expressed in the constitution need an authoritative source on which they build, for instance an election in a democracy or the principle of heredity in a monarchy (Beetham 1991: 126-127). The only legitimate authoritative source today is based on the will of the people (Ibid: 128). The power that governs will also need to express some sort of general interest (Ibid: 135). It is not a question of every citizen having to agree with the policies of the government, but they have to agree with the system where the policy is performed. The citizens must accept subordination to the national government as such, even though they voted for the party that lost the competition for power. If the government does not consider the general interest of the minority at all, the system will be in danger of losing legitimacy because the minority will not accept subordination to a government which they think is unfair and unreasonable.

A manifest failure of performance by the government may compromise the legitimacy based on shared beliefs. This is relevant in a country like South Africa where there is a huge inequality between a rich minority and a poor majority. Another reason for legitimacy deficit based on this source of legitimacy is abuse of public office for private gain, like corruption (Ibid: 142). The shared beliefs will justify differentiation in society between the dominant and the subordinate (Beetham 1991: 59). The inequality will be explained either through merit or inheritance. The position of the bureaucracy as a traditionally well positioned group is explained by their qualifications. It is because of their knowledge they are in power. A king is a dominant because of his inherited position. Also the discrimination of women in many societies is explained by the inherited dominant position of men. If the subordinates do not see a

reason for the differentiation, the inequality will seem unfair, and the government will lose legitimacy.

Expressed consent gives legitimacy to power either through an election or through mobilization (Beetham 1991: 151). Consent as a dimension of legitimacy is a continuation of the philosophical thought of a social contract between the leaders and the citizens. It expresses a voluntary subordination to power or authority. It must be expressed by positive action, not inaction. For consent to be voluntary it requires an effective choice between alternatives (Ibid: 151-2). South Africa has got one very strong party mobilizing a great majority of the votes, the ANC, and a small and fragmented opposition. Therefore the question of a real choice and a real competition for power is very present. In the next chapter I therefore include some theories about the competition for power.

In a one-party system without alternatives, mobilization can also be used as an attempt of legitimating the government. Demonstrations of mass popular support can be misused by authoritarian governments if it orders the citizens to attend the meetings. In the last years of apartheid South Africa, there was a legitimacy crisis because only a small minority of the citizens got to express their opinion, or consent in a broad sense (Ibid.: 153). In analyzing authoritarian regimes, Beetham claims that Weber's concept of charismatic authority is "rather a hindrance than a help" (1991: 156). He claims that the personality of the leader is not enough for having authority; it demands a special system of power, and of mobilizing for legitimacy.

In a democracy elections give the government legitimacy both by expressing support for one specific government which is given power to govern, but an election is also giving legitimacy to the democratic system. By using the channels of the democracy to elect representatives to be in government, the citizens legitimize not only the specific government, but also the system of representative democracy.

3.5 Theories on competition for power

South Africa is a multi party democracy. An important feature to make the government deliver in a democracy is that the government is accountable to the electorate, and that if the electorate is not satisfied with the government, it is not reelected. With the ANC being so strong in South Africa it is a question of whether this control mechanism is effective. I discuss three theories which are relevant for the competition for power in South Africa. The first theory is on “political space”. I use it to explore the potential for a stronger opposition in South Africa. The second one is about the need for substantive uncertainty in a democracy, which is about the uncertainty that makes politicians accountable to their electorate. The last theory is the “iron law of oligarchy”, which states that an organization, in this case the ANC, can not remain democratic; the leaders will do what they can to remain in power even if it includes using undemocratic means. These theories explore different factors which are decisive for a consolidation of the South African democracy. They explain the institutions for where the people can express their beliefs, and thereby legitimize the government.

Linz: Political space

Linz explores political space in connection with the success of the fascist movements in the different European countries after World War 1 (Linz 1980). Instead of using economic development, as is commonly used to explain the success or failure of the fascist movements in the different countries, he explains them with fascism being a late-comer among the political ideologies and with the political space available for fascism in the different countries (Linz 1980: 173). Political space can also be described as the potential for mobilization. In an authoritarian regime, where there is no room for organizations or parties, the potential mobilization is zero (Ibid: 155). In a society where one or some parties have mobilized a great majority of the population, the potential mobilization for new organizations is little. If there is limited political space, there is less chance of a new ideology or a new opposition party to get support. If the structures of a society are changing, new political space may be opened. Where for instance a new middle class is developing, it opens for mobilization, either by old parties or organizations, or by new (Ibid: 167).

Habib: Substantive Uncertainty

Adam Habib describes uncertainty as the essence of democracy (Habib 2005: 46).

There are two kinds of uncertainty: institutional and substantive. Institutional uncertainty is bad and describes a democracy's vulnerability to anti-democratic forces and their possible return to authoritarianism (Habib 2005: 47). Most of the literature on the young democracies from the third wave of democratization (Huntington 1991: 3-5) is preoccupied with this kind of uncertainty.

The other kind of uncertainty is substantive uncertainty. This is positive uncertainty and is the kind that keeps the politicians alert and makes them responsive to their citizenry (Habib 2005: 47). The problem of the democracies in the third wave is that they have weak institutional mechanisms to promote substantive uncertainty like legislative elections, the separation of powers, civil liberties, oppositional political parties and an independent press (Ibid). A threat to substantive uncertainty is that citizens are reluctant to vote against their liberators out of fear that the authoritarian regime will return if the liberators are not ruling. Another result of this fear is that the new democratic regimes make concessions and compromises with the old regime and old economic elites. The majority of the electorate is voting for the liberators anyway, Habib calls it the "honeymoon phenomenon". The new regime needs investment to get economic growth, therefore the government rules in accordance with the interests of business more than in the interests of the population (Ibid: 43). This leads to neo-liberal economic strategies and weak social security for the population. Habib concludes that one needs substantive uncertainty for real competition for votes in a democracy and for the politicians to look after the people's interests.

Michels: Iron Law of Oligarchy

Michels defined the "Iron law of oligarchy" in 1911: "It is organization which gives birth to the domination of the elected over the electors, of the mandataries over the mandators, of the delegates over the delegators. Who says organization says oligarchy" (Michels 1962: 365). The core of it is that organization leads to authoritarianism. Once in office, the organization of bureaucracy makes the elites powerful, and thereby able to hold on to the power they've got. This way any

organization will end up being governed by an oligarchy because of the leaders' interests and efforts to stay in power. Even if a leader is democratically elected, he or she can change rules, influence the administration and thereby stay in power. There are several examples of leaders changing rules which are supposed to limit their power; one is an elected president with a time limit for ruling who changes the law to be able to remain in power. Unfortunately this has happened more than once in Africa, most recently in Uganda in September 2005. President Yoweri Museveni has amended the Ugandan constitution in to be able to sit a third term, whereas it originally limited presidential terms to two (New Vision September 29th 2005 [newspaper]).

People employed through the ruling party also have personal reasons for trying to keep the party in power. Out of fear that they will loose their jobs if the party looses power they are working to keep the power (Lipset 1962: 17-18).

In "Union Democracy" (1956) Lipset describes the democracy in the International Typographical Union (ITU) as an exception from the "iron law of oligarchy". The most important factor for avoiding an oligarchic development in an organization is a legitimate opposition, which was the case in the ITU. Such an opposition may develop when the organization is exposed to a crisis. A crisis is any "large disruption of routine in the life of the union" (Lipset 1956: 142). This may result in fractioning inside the organization, and thereby competition for power. The opposition starts as illegitimate, but becomes legitimate when it gains support in the organization.

4. THE BUILDING BLOCKS OF LEGITIMACY

4.1 Introduction

In the previous chapters I have introduced the framework of this thesis. I have explained the relevant South African background, the history and the actors, and how it has influenced today's South Africa. I have also presented the theoretical framework which will form the analysis. In this chapter I will extract the relevant variables for the discussion. I build on two main hypotheses which I think are crucial for the development of the South African democracy. The first one is that when a government does not deliver socioeconomically, they must have some kind of authority to back them up. The second hypothesis is that a functioning democracy demands competition for power. From these I extract the variables for discussion in the next two chapters before I move on to the question of the extent of legitimacy in the final chapter.

4.2 Authority and delivery

In a democracy a government must deliver to be legitimate. In an authoritarian regime, the government may justify their power in other ways. The Ayatollah of Iran falls back on religion if he does not deliver, while communist states fall back on the ideology of communism and the higher good when they do not deliver. In a democracy the government's power exists on the mercy of the people, so it must see to it that their interests are considered, at least the interests of the majority and the main interests in society. Afrobarometer surveys even show that Africans evaluate democracy according to delivery more than in the Western world (February 2005: 56). Therefore I start with a discussion on the delivery of the ANC Government, and then I ask what their source of authority is to the extent that they do not deliver.

Efficacy and effectiveness

South Africa is one of the economically most unequal societies in the world. The ANC has been in government for more than 10 years, and they have not been able to change

this situation. The question is of course how much the ANC government does deliver. This is a question about the outcomes of their policy, i.e. the results the people see from their policies or their effectiveness. The other side of delivery is a question of whether the constituency trusts the ANC's ability to solve the problems, in other words, their efficacy.

The ANC does face a problem, seeing that half of the population lives under the national poverty line, and that this has not changed in their period of being in Government. Even so, the poor continue to vote for the ANC, so the Government's authority must build on something else than their effectiveness. For each national election the ANC has increased their percentage of the vote.

Since the ANC has introduced democracy in South Africa, and equal rights for its citizens, I assume that the population believes in the ANC's ability to solve problems, i.e. their efficacy. But they may have an increasing problem when it comes to the effectiveness of their policy. My hypothesis is that this will eventually influence people's belief in the ANC's efficacy if the government does not perform socioeconomically. I will discuss this in chapter 5.

Focus on charismatic authority

In chapter 5 I argue that one major source for the legitimacy of the ANC government is charismatic authority. A government's authority does not only have one source. For the ANC government's authority there are elements of Weber's other kinds of authority too. Legal-rational authority is essential in a modern state. The power of a democratic government must be justified through rules which are made by a democratic Parliament. It also needs an administration that treats the inhabitants without discrimination and with decisions based on law. In South Africa the government administration is criticized of being incompetent because it is recruited on the basis of skin color in addition to merit. This is because of "affirmative action"; black people are preferred when people are employed because of under-representation of Blacks in government (Department of Labour 2005 [homepage]). This causes debate in South Africa, mostly in relation to the satisfaction of the general interests.

The problem is that all non-blacks are second in line when employed; I will discuss this briefly in chapter 7. Affirmative action may possibly cause a legitimacy deficit for the government administration based on the rational-legal authority and the principle of recruiting on the basis of merit. But on the other hand it is a problem for the credibility for the government administration if it only consists of white people with experience from the apartheid days. I will not discuss that in this thesis. The power of the government is based on rules. I will assume that an eventual legitimacy deficit for the ANC government based on decline in the legal-rational authority is small.

I will not discuss traditional authority of the ANC government either. The ANC government may have a certain traditional authority among the people living in the rural areas of South Africa, in cultures which are used to listening to the “counsel of the elderly”, and accepting a decision once it is taken. Like this it may be a hindrance for a viable opposition. When some of the people I spoke to in Khayelitsha did not follow me in analyzing the government (Khayelitsha 2005, no 4 and 5 [interviews]), it may have been because they thought of the government as a guardian that was doing its best to see to their interests. This could be because of traditional authority. In the thesis I still assume that this is not the most important form of authority for the ANC Government. The reasoning behind it is that the ANC has not been in government long enough to establish such authority, and that the apartheid government claimed to rule on the basis of traditional authority, but was not considered legitimate in South Africa.

I have chosen to concentrate on the charismatic authority of the ANC because I think this is the most relevant source of authority for the ANC. It is also a very interesting one because there will probably be a change in it in the years to come. Therefore it is crucial for the development of South African democracy.

4.3 Competition for power

In Robert A. Dahl’s minimalist definition of democracy there are two components: contestation and participation (Dahl 1971). The turnout for South Africa is usually considered high, but I will argue that because of limitations in registering for the

voters' roll it is lower than is usually assumed. Still, many people are participating in the South African democracy. I argue that the degree of contestation is a bigger problem.

In chapter 2 I have shown that the struggle and the transition have left South Africa with a very strong ANC. According to Juan Linz a strong ANC is causing a weak opposition because of a limited political space (Linz 1980). In South Africa there are many opposition parties, but they do not get many votes. I will look at the strong ANC and the weak South African opposition in the light of political space. I do not only look at party opposition, but also at issue-based opposition like social movements.

If the political space in a democracy is mobilized mainly by one actor it leaves little competition for power, and this may constitute a problem for the legitimacy of a government. If people are to express their consent with a government, which is one of Beetham's dimensions of legitimacy, it requires a real choice of alternative governments (Beetham 1991). In Habib's words it is a question of substantive uncertainty, which he describes as the essence of a democracy (Habib 2005). For South Africa this leaves a discussion on the implications of the ANC getting such a strong support, and the opposition being so weak.

When looking at the competition for power in chapter 6 I include a discussion of electoral behavior. With the history of the ANC as a liberation movement, I assume that the constituency is loyal to the ANC and that it identifies with the ANC. This makes them vote for the ANC longer than they would have done otherwise, loyalty thus limits the potential competition for power by continuing to give the ANC support.

The last discussion I include on competition for power is Michels' "iron law of oligarchy". Are the leaders of the ANC who are in positions of power now willing to give it up? Thabo Mbeki has been accused of having centralized the government and having an authoritarian style of leading. If this is so, the ANC is moving away from democratic principles and decision-making structures. A way of limiting the

possibility of the development of oligarchy inside an organization is a “legitimate opposition” in the organization. Since the ANC has to consider the views of its partners in the Tripartite Alliance when governing, I will discuss whether this can be regarded as legitimate opposition in chapter 6.

4.4 Legitimate?

The discussions from chapter 5 and 6 will be concluded in the last chapter. I will start with looking at the source of the authority of the ANC. In chapter 5 I argued that an important source of the authority is charisma, and in the final chapter I will argue that it is changing, and that this change is crucial for the future legitimacy of the South African government. I will discuss what Weber calls the routinization of charisma.

I will look at David Beetham’s dimensions of legitimacy (Beetham 1991). I will not go into the first dimension, established rules. This dimension of legitimacy builds on a sovereign state where the judiciary is independent from the other state powers and a military subordination to civilian control. According to Freedom House, the South African judiciary is independent (Freedom House 2005 [homepage]). The military is subordinated to civilian control, but crime and violence are major problems in South Africa. It is one of the countries in the world which has the highest number of rapes and armed robberies per capita (Ibid.). A high number of illegal firearms are circulating in the country. This is a problem for the ANC government, but I will not discuss it here. I find Beetham’s other two dimensions of legitimacy more relevant for my research question.

From the dimension Beetham has called “shared beliefs” I discuss if the government can be said to consider the general interests of the South Africans. I pick up the discussion from chapter 5 on how the ANC government has delivered, and what the implications are for their legitimacy. Another aspect of shared beliefs which is relevant for South Africa is if there exists a South African national identity. A legitimate government demands that the citizens accept subordination to it, that the citizens feel a shared identity and part of the same state. The divided history of South Africa makes it

questionable if there is a South African national identity. There are institutions which are building up under it, but the country has only got eleven years of shared history, and the different cultures are still much separated. It is a long discussion, and I will not go into it in this thesis. Even if the existence of a South African national identity is questionable, I presuppose that the citizens of South Africa accept subordination to the government. Participation through democratic channels rather than revolting is one sign that they do. Surveys also show that a majority of the population see themselves as South Africans first, and not belonging to a race (Khosa 2005: 145). This is a sign that South Africans feel part of the same country, and thus feel that they belong under the same government.

The other dimension of legitimacy I will discuss is what Beetham calls expressed consent. Following the discussion in chapter 6, I argue that for South Africans to be able to express their consent, they must have a real choice of alternatives. The strong ANC in South Africa and the little political space which is left for the opposition leaves a question if there is a real choice of alternative governments in South Africa.

5. THE FUNDAMENT OF AUTHORITY

William Gumede notes that the only “difference between [the poor South Africans’] miserable lives under apartheid and their miserable lives under democracy is that they have the right to vote” (Gumede 2005: 285). Still the ANC got 70 percent of the votes in the election in 2004, of which a majority was votes from poor people. What is backing the ANC government up to keep the support from the voters? I assume that many people are not satisfied with their socioeconomic situation. The Afrobarometer survey from 2001 shows that Africans in general judge their governments much according to what the government delivers (February 2005: 56). In this chapter I will look at the delivery of the ANC government and show that their efficacy is stronger than their effectiveness. In the last half of the chapter I will argue that ANC’s authority is based on charisma, and that it is still strong today.

5.1 Effectiveness and Efficacy

Effectiveness

The ANC has governed South Africa for a little more than a decade. They introduced democracy and equal rights to the country, but socioeconomically there is still huge inequality. The ANC has delivered in some fields, but still a lot is missing. Even people associated with the ANC, like Desmond Tutu, have criticized the Government’s effort to reduce poverty (Tutu 2004 [speech]). If people grow impatient with the government it may lead to social unrest and revolt. In Linz’ words, the ANC government’s effectiveness has not been sufficient during the first decade of democracy.

Since the ANC got in power in 1994, they have given the poor in South Africa quite a number of material improvements. They have built 1.6 million low cost houses, given 9 million people access to clean water and 2 million people electricity (Mattes 2005:2). Not all people have access to these services because there is a service charge to get

them. To get a government built house people have to pay for the improved access to water and electricity. When people fall behind with their payments they are forced to either rent their house out or to sell it (People's Budget 2005: 6).

The ANC government is criticized of not delivering in South Africa. The economic growth has not been as high as they promised, which was the precondition for a high scale job creation. Even though the economic strategies, RDP and GEAR, have promised more jobs, the result has been that half a million jobs have disappeared in total (Mattes 2005: 1). At the same time the government has realized the fiscal targets as set out in GEAR (Tørres 2005: 59). This implies that the government has delivered according to the business interests more than in the interests of the 40 percent unemployed in South Africa.

The Afrobarometer survey shows that in 2002 more South Africans gave a negative assessment of their own economy (46 percent) than positive (38 percent). About 30 percent said their economic situation had improved the last year, and an equal proportion said it had deteriorated (Mattes et al 2003: 17). South Africans are positive about their future. More than 40 percent believed that their living conditions would get better the next year, while only 13 percent thought they would worsen. Also the people I spoke to in Khayelitsha had a positive view of the future. All but one (no 1) thought that their or their children's lives would be better in the future (Khayelitsha 2005 [interviews]).

Numbers from the UNDP show that half the population lives under the national poverty line (UNDP 2003: 70). This has not changed since the introduction of democracy. When South Africans are positive about the future, it is not because they have seen big socioeconomic improvements in the past. This leads us to the question of the ANC's efficacy.

Efficacy

Afrobarometer data shows that South Africans believe in the ANC. Not only do they have an optimistic view of the future, they also think that the government can solve

their problems. Almost 60 percent of the population answered that they thought the government could solve all or almost all of the country's problems (Mattes et al 2003: 12). Another 30 percent believed they could solve some of them. The people I talked to in Khayelitsha trusted the ANC's solutions because of their history as liberators. The ANC did bring people freedom and equal rights through democracy. This has made them believe in the ANC and their ability to make a change. One of the people I spoke to in Khayelitsha said that she believes that the ANC will keep all the promises they have made of change, but it will take time. But people are patient, they know it will come (Khayelitsha 2005, no 7 [interview]). Even though the ANC government has not yet improved poor people's economic situation, the people do believe in their ability to make a difference.

On the other hand there are signs of growing dissatisfaction with the government's efficacy, especially with their economic strategies. A number of social movements have come into being since the late nineties, and they mobilize a great number of people. There are major COSATU demonstrations on a monthly basis, especially with demands on increased effort by the government to create jobs (Mail and Guardian, June 24th).

The ANC's economic policy has changed quite radically since 1994. ANC's first economic strategy was described in the Freedom Charter, adopted in 1955 at the Congress of the People at Kliptown (Terreblanche 2002: 346). The Charter simply states that "The People Shall Share the Country's Wealth!" (Freedom Charter 1955, paragraph 4). It also prescribes a policy of nationalization of the resources of South Africa by stating that the resources "...shall be transferred to the ownership of the people as a whole" (Ibid.). The Freedom Charter is not detailed; it is a vision rather than a description of a policy.

In cooperation with COSATU the ANC formed a new economic strategy, the Reconstruction and Development Plan (RDP), adopted in 1994. The base line of the RDP is growth through redistribution. The RDP emphasizes that the basic needs of all

South Africans must be fulfilled, that the economy must be built, legacies of apartheid must be redressed and that South Africa must adjust to the global market.

In 1996 the government introduced a new economic strategy, officially as a follow-up of the RDP (GEAR 1996:3), but in reality a shift of strategy. GEAR's focus was on economic growth and liberalization. High government spending in the last years of the apartheid regime had left the country with a huge international debt. GEAR prescribes a recipe for the economic crises of attracting foreign direct investment and a higher domestic saving effort (GEAR 1996: 22). It calls for industrial competitiveness and a tight fiscal stance. It turns the "growth through redistribution" from the RDP around to become "redistribution through growth". It was assumed that economic growth in South Africa would "trickle down" on the poor (Terreblanche 2002: 97). Where RDP contains visions of human development and democracy, GEAR has ideals of economic growth through high competition and opening to the global market.

In 2003, in the weekly "Letter from the President" Thabo Mbeki introduces a new strategy which is more interventionist than GEAR was (Mbeki 2003). The government adopted a terminology for the South African economy of "two economies" of the country. The "two economies" is not really an economic strategy, it is an understanding of the South African economy, but it has become a strategy in the way it has been adopted by the government, the media and business since it was introduced (e-politics 2005, edition 1: 9). The two economies stem from the apartheid system, where one, White, economy was developed as a modern, western economy, while the rest of the people of South Africa was left without economic development in a third world economy. The two economies are still present in the country, where a minority of the population is part of the formal economy, also called the first world economy, and a majority is excluded from it. The third world, or second economy, includes the informal sector. The two economies have very much stayed separated, also during the first ten years after the transition. The problem is that a majority of the South African population belongs to the third world economy, and does not get to be part of the first world economy. Thabo Mbeki explains the use of the two economies in

today's South Africa as a way of being able to mend the gap between the economies by using the economic growth of the first economy to intervene in the second one (Mbeki 2003). While GEAR was assuming a "trickle down" effect of the economic growth upon the poor, the strategy of the "two economies" prescribes intervention in the second economy.

The Government's economic strategies all have as main goals reducing inequality, creating jobs and creating the structures for economic growth. The focus of the public economic strategies has turned from being on social services to being on economic growth. From the RDP to GEAR there is a much greater emphasize on economic growth and specific economic goals, and a belief in that equal redistribution will come as a result from growth. With the jargon of the two economies, the goal is to integrate the second economy into the first. The first economy is for the business and the economic elite, and this is where the economic growth of South Africa is found. It is also much more deracialized than the second economy is; the elites in South Africa are the ones who are the most "colorblind". The talk of the two economies is by some seen as an opportunity to build a bridge between them, but by others as a way of cementing the two economies. Cementing the two economies implies that the first economy is left untouched while one is only patching up the second one, without doing anything about the structures which create them (Habib 2005: 42). In this sense the use of the jargon of the two economies is maintaining the system it is meant to be changing.

Many of the young democracies in the world are experiencing a market-liberalist shift in economic policy. Adam Habib explains it with new democratic governments being able to expect strong support in elections after a transition. The ANC can take an overwhelming support in the national elections for granted. This makes them able to consider business interests to get investment without fear of loosing power (Habib 2005: 43). Increasing visible dissatisfaction in South Africa like strikes and mass demonstrations may be a sign of this period coming to an end, even though the ANC does not seem to need to fear loosing votes yet. The reason for this may be the loyalty people feel with the ANC, which I will return to in chapter 5.4.

Another problem for government efficacy has been the HIV/ Aids problem. About 10 percent of the South African population is HIV infected in 2005⁸ (StatsSA 2005 [homepage]). A majority is poor, which makes the impact of the disease even bigger. It reduces the household's earning power and it increases the burden on government services. The government is now providing free anti-retroviral treatment to people who test positive for HIV or Aids, and is not giving controversial statements as often as it once did, but it is still not clear on the cause and treatment of the disease. Health minister Manto Tshabalala-Msimang stated in May 2005 that HIV patients should have the option of using traditional healing, and especially eat garlic, and that this not only helps against HIV and Aids, but also a range of other diseases (Mail and Guardian, June 28th 2005). Such statements confuse the whole world, it misleads the focus of the problem and it gives an impression that the government does not do its best to fight the disease.

5.2 Khayelitsha

All my interviewees were very pleased with the ANC in government, when asked if they thought the government did a good job, all ten answered positive. In general the answers were centered on freedom, the government has given them freedom, they can be where they want, go to school wherever they want, work wherever they want (Khayelitsha 2005, no 2, 3, 7, 9 and 10 [Interviews]). Some mentioned rights, that everybody has rights (no 10), and that women have been given rights they didn't have before (no 1). When I asked about what the government had done for them and their community, four answers included building houses (no 1, 7, 8 and 9) and others mentioned social grants (no 6 and 7), education (no 1 and 9) and electricity (no 6).

Many of the same things were mentioned when I asked about what the government could do better. Housing was the thing that the most mentioned when asked about what the government did well, but also mentioned by two when asked about what could be done better (no 1 and 3). Both said that monitoring of the money that was

⁸ 16.7 percent of the population between 15 and 49 years in HIV infected.

supposed to use for building houses was not good enough. They think that a share of the money disappears on its way from being given from the government on the national level, going through the provincial government, and finally being used by the local government to build houses. Both interviewees no 1 and 3 are active in community work. On what the government could do better, the interviewees also answered that they should create more jobs, do more to prevent youth from committing crime and HIV/ Aids (mentioned by no 3 and 9). One also criticized the use of social grants, because it makes people dependent for instance by encouraging teenage pregnancies (no 1). Another interviewee mentioned service charges, they have “water meters” which measure the amount of water they use, and they have to pay subsequently. According to interview no 5 the problem is that there is debt on the water from before they installed the water meters, so they have to pay more than just for the water they use. It would help the poor if they could start at zero, instead of having to pay old debt. Another said that the houses built by the government are too small (no 6).

Five of the ten interviewees said something about corruption, or politicians being after their own gain (no 1, 3, 5, 6 and 8). Politicians gave all the jobs available to their own family or friends or they were just trying to get power for themselves. But all of them also said that they thought that these were bad apples; there were many good politicians, only some were corrupt.

The people I talked to believed in the efficacy of the ANC. The ANC has done much, and they trust them to be able to make things even better. They did talk a lot of history and Nelson Mandela, the charismatic authority of the ANC is prominent. For the people I spoke to these factors outweigh the fact that they are not as pleased with the effectiveness of the ANC, they trust that they will deliver in time, they have patience.

5.3 Authority of the ANC

Charisma

So, what is backing the ANC up where it doesn't deliver to the poor? Why do the people I talked to in Khayelitsha still believe that the ANC will fulfill their promises, what makes them wait patiently? The ANC must have some kind of authority in the eyes of the people that make them trust the Government. I will argue that this authority is what Weber calls charismatic authority. In chapter 7 I will argue that the crucial point for the legitimacy of the government is a routinization of this authority.

One reason for ANC's authority being much based on charisma is its history as a liberation movement, and the leaders and symbols that are part of it. The source of a charismatic authority comes from "outside", for instance from a higher ideology (Weber 1971). ANC's source of charismatic authority is liberty and freedom. During the struggle, freedom and ANC were synonyms when talking about South Africa. The ANC was fighting for a free South Africa and for the freedom for the political prisoners, the most famous being Nelson Mandela. When an organization is defined as a liberation movement, it gets moral right on its side. It is fighting to liberate a population from an oppressive and illegitimate regime. This gives it charismatic authority in itself. People trust an organization which they believe to do the right thing, fighting for the right cause. In most conflicts where one or several organizations call themselves liberation movements, the term is debatable. There is no worldwide agreement that the ETA movement in Spain or the SPLM/SPLA in Sudan are liberation movements. But during the apartheid regime in South Africa, the ANC was widely recognized as a liberation movement. The suppression of people because of the skin color was illegitimate in the world opinion. No matter how much the apartheid regime tried to break up the organization of ANC, by banning it and imprisoning its leaders, it had wide support throughout the world.

Another side of the same argument is that a regime like the apartheid regime which was seen as defending something very illegitimate and morally wrong, will lose authority. The UN Security Council contributed to its delegitimation in 1989 when it

stated that apartheid was a crime against humanity and a gross violation of human rights (UN Resolution 1989: 44/69). As obvious as the brutality of the apartheid government was, as obvious was the fair cause of the ANC. Thus ANC gained authority from a moral source, while the apartheid government lost authority.

The leader as a person is very important for charismatic authority (Weber 1971: 98). The leader is for instance a prophet or a hero. Nelson Mandela is still a hero in most people's eyes. One of my interviewees said "Only Mandela prevented fighting and brought a peaceful transition" (Khayelitsha 2005, no 8 [interview]). Another said "he is speaking of forgive and forget" (Ibid no 1). His ability to reconcile with his former oppressors and enemies is also regarded as one of his heroic capabilities. He has made friends with the former prison wards, he has dined with apartheid leaders, and in 1993 he accepted the Nobel Peace Prize together with the last President of the apartheid Government, Frederik Willem de Klerk (The Norwegian Nobel Institute 2005 [homepage]).

Mandela was imprisoned for almost three decades, much of the time at Robben Island, the prison island. For almost three decades, while imprisoned, it was illegal photographing him. There was a lot of speculation as to what he would look like, and because there were no new ones, the pictures taken of him in the 60's were used on posters and cards in the anti-apartheid campaigns over the world. This also contributed to building the picture of the hero Mandela, mystified because no-one knew what he looked like and forever young because the same pictures were used for more than 20 years.

When Mandela got out of prison in 1990, his authority increased. He is credited with much of the successful and mostly non-violent transition to democracy, and the negotiated fall of the apartheid regime. Mandela also managed to gather support for the first democratic election in South Africa, where people waited patient in long lines to vote, the longest being in the black areas. One of the people I interviewed said: "I will continue to vote for the ANC, even if Mandela passes away" (Khayelitsha 2005,

no 6 [Interview]). This is an example of how strongly people connect Mandela with the ANC, and also how important he is to people. Mandela is still an important figure in South African politics, still commenting on issues where he thinks Mbeki and the government are not doing a good enough job, like in the HIV/Aids question.

Another aspect underlining the charismatic source of authority of the ANC is the symbols used during the struggle, which are still in use today. A speaker cries out to the people: “Amandla!” (Power), and the crowd answers “Ngawethu!” (To the people). This has been a cry from the oppressed people during the apartheid regime, but today it is a slogan to show support for the new regime, for democracy. Similar symbols are the raised fist, which Mandela calls the “Greeting of Africa” (Mandela 1994: picture between p 320 and 321) and the dance called *toyi-toyi*, which was used as a protest dance during mass demonstrations against apartheid and became a symbol for the struggle. The song “Nkosi Sikelel iAfrica” was regarded as the national anthem of the oppressed in South Africa, and was used as the anthem at ANC meetings (ANC 2005 [homepage]). Today it is the national anthem of South Africa, translated from originally only being in Xhosa, to now having four verses in four languages: Xhosa, Zulu, Afrikaans and English.

The paradox of these symbols from the liberation fight is that today the symbols are also used in strikes and actions *against* the ANC government, for instance in COSATU mass demonstrations. The symbols are used against the dominant power rather than only in favor of the ANC. This may be a sign of the declining charismatic authority of the ANC. The higher ideology of liberation and freedom, and the moral right may gradually be separating from the ANC, whereas it has been integrated since the struggle.

Beetham argues that Weber’s concept of charismatic authority focuses too much on the leader as a person where it should have a broader perspective (Beetham 1991: 156). He argues that it takes the right leader inside a belief system, not only the leader, to give one person that kind of authority. Leaders like Hitler, Lenin and Mao all used

the popular resistance against the former regime to gain power. It takes more than just the personality; they needed popular belief and institutions that made them able to get power. Even though Beetham discusses charismatic authority in authoritarian regimes, it can be applied on charismatic authority in general.

For South Africa Nelson Mandela was this right person at the right time inside the right belief systems and institutions. He had the charismatic authority as described by Weber. He was the given leader of the charismatic movement when the ANC was unbanned, being a hero from the struggle and having very special personal abilities, especially in communicating with people. It was not only Mandela who brought the fall of the apartheid regime. There were many important organizations inside South Africa, there was an increasing international pressure, and there was the end of the cold war reducing the world's fear of communism - all these different factors contributed to the fall of the apartheid regime. If these factors had not occurred at the time they did, apartheid would probably have fallen at another point in time, maybe sooner, maybe later. But as it happened when it did, Mandela was the released prisoner and the hero from the struggle and he had the right charisma and personality to be a unifying leader.

Charismatic authority only exists as long as the leader has the needed charisma. The charismatic authority of the ANC may apply as long as Mandela is still alive. With time it will decline. Charisma as a source for authority of the ANC government has declined with Thabo Mbeki succeeding Mandela both as President and as leader of the ANC in 1999. The ANC government has a lot of authority even without Mandela because of the struggle and because of it having been a liberation movement. This supports Beetham's argument; the organization has authority because of a long resistance and fight against apartheid. Also before Nelson Mandela became an important political actor in South Africa, the ANC gathered people in the fight for freedom. But even now, with Mandela fading out of South African politics, one important source of ANC's authority is the charisma that stems from having been a liberation movement.

5.4 Trust and loyalty to the ANC

In the late nineties, more people in South Africa trusted the ANC government than did not, but the difference was not very big. A survey conducted by the HSRC shows that while about 45 percent of all South Africans answered that they had great trust or trust in the government, about 40 percent answered that they had little or no confidence in the government (Stene 2002: 93). Black South Africans trusted the government more (60 percent) while only 9 percent of the White South Africans said they trusted the government. Other surveys show that there has even been a decline in people's trust in the ANC government the last decade. Whites and wealthy people's trust has declined the most, but it has declined all over (Khosa 2005: 133-134). The poor trust the government more, but it is declining because of job losses and low delivery. Other surveys, like the Afrobarometer show the same tendencies (Mattes et al 2003). This has serious implications for the legitimacy of the government since legitimacy depends on how much people believe in it. If the people do not trust the government it may cause a decline in the legitimacy.

Hagtvet describes loyalty as "a tie between the dominant and the subordinate" (Hagtvet 1978:247). It slows down the process of declining authority. If the electorate in South Africa is loyal to the ANC, it could result in the ANC staying in power longer than their authority would imply. In chapter 5.1 I have argued that people believe in the efficacy of the ANC, but that there is a lack of effectiveness. Charismatic authority needs to be proven through success. People do believe in the ANC's ability to deliver, but the trust is declining, and there are signs of growing dissatisfaction with the delivery of the government. Therefore the authority of the ANC may be explained with loyalty in addition to people believing in their efficacy.

Most of the population in South Africa feels a common and shared history with the organization ANC, and with its leaders. The struggle, which in retrospect is regarded as lead by the ANC, was the common struggle for all South Africans. Very few South Africans today would admit to supporting the apartheid regime, almost everybody seems to have supported the ANC and the fight for equal rights during the struggle.

According to Robert Mattes at the University of Cape Town, the proportion of non-partisan voters in South Africa is lower than for many countries in Europe. In 1994 as much as 89 percent of the voters answered that they felt especially close to one party when asked after the first democratic election of the country. But this number has since declined to less than 60 percent (Mattes 2005: 9). The proportion of partisan voters is somewhat higher among Blacks, whom are also the strongest supporters of the ANC. The ANC vote has been rather stable since 1994, but the opposition vote has fluctuated. Therefore it looks like ANC voters are most prone to identify with their party. Even if South Africans are less connected to one party all over, it looks like ANC voters may be more committed and loyal to their party. If this is true, the ANC supporters may vote for the ANC longer than they would otherwise.

The leaders of the ANC are still the ones who fought in the struggle. Leading people in the ANC like Thabo Mbeki, Jacob Zuma and Cyril Ramaphosa all fought in the struggle, either in South Africa or abroad. But in a few years, there will be a shift in the leadership. The old guard will become too old, and new people will take over. In time some of the loyalty with the ANC will probably disappear.

For some people the loyalty to ANC will remain even though there are new leaders. In my interviews in Khayelitsha I asked if they had ever considered voting for another party than the ANC. I did not ask about what they would vote in the future, but 5 of the 10 interviewees said that they would always vote for the ANC, and they had never considered anything else (Khayelitsha 2005, no 1, 5, 6, 7, and 9 [interviews]). Even though they were dissatisfied with the government on several things, this did not influence their intended voting behavior. As long as ANC does not split, these people will probably continue to be loyal to the party. Only with a new generation that grows up in the democratic South Africa will this loyalty will be weakened.

5.5 Conclusion

People in South Africa feel that the ANC government has given them a lot. It has given them democracy and equal rights. On the other hand there is a lot the

government does not deliver, most importantly to the poor and unemployed. The structures which keep people poor have not changed. There is a small elite who stays rich. But people still believe in the efficacy of the government. There are signs of a decline in people's trust in the ANC, for instance through increasing mass protesting against low effectiveness. In time this may influence people's belief in the ANC's ability to solve problems too. There are already some signs of discontent with the efficacy, for instance visible through mass demonstrations when GEAR was introduced.

Even with a lack of effectiveness the ANC gets a big majority of the votes in the elections. I have argued that this support stems from the charismatic authority that the ANC has got, and that this authority will remain for quite a while. People are also loyal to the ANC, and this conserves their charismatic authority and support.

6. A SHORTAGE OF ALTERNATIVES

The ANC got strong support in the 2004 national election. The opposition is weak and consisting of many and small parties. In this chapter I will discuss what mobilizes the South African electorate. How strongly does the electorate identify with the ANC? I will also look at the political space in South Africa, is it big enough for the opposition to create “substantive uncertainty”? And how does the Tripartite Alliance influence the political space? Finally I will discuss whether the ANC actively limits the potential political space in any way by changing the structures for power.

6.1 Electoral behavior

History decides much of the vote in South Africa. Especially black people identify with the ANC. The ANC was the organization they trusted to fight their fight against the oppressive regime of apartheid. The overwhelming support for the ANC may also be part of what Adam Habib calls “the honeymoon phenomenon”. Citizens in a new democracy vote for the liberators out of fear of reversion to authoritarianism (Habib 2005: 47). That would imply that South Africans are rather voting for democracy than voting for the party when they are voting for the ANC.

Mobilization

South Africa is still a split country by race. Living in a system where race decided the extent of your rights and liberties has of course left footprints. A majority of blacks vote for the ANC, and whites for DA. Race decides what people vote in South Africa, but not if they vote (Faull 2005 [interview]).

The voters themselves do not explain their vote with race. When asked about why they voted for the party they did in 1999, only 3.3 percent said they voted because of race identity (Rule 2004: 7). In 1999 most people voted out of a hope for a better life, for improvement and for more jobs. The majority of the electorate of the DP (now DA) voted because of the importance of having a good opposition (Ibid: 8-9). This consists

with the election campaign of the DA, where they emphasize the need for a strong opposition.

Apart from race, according to the Institute for Democracy in South Africa (IDASA) the South African electorate is also divided by ideology (Faull 2005 [Interview]). There is a left - right cleavage in South African politics. Parties like the DA and IFP define themselves to the right of the scale. The IFP emphasizes traditional and family values like a classic conservative party in a Western democracy, and the DA practices a classic liberal policy. They emphasize the individual and its freedom and rights.

All South Africans, and especially non-Whites, emphasize the economic components of democracy like employment, equal education and basic needs (Mattes et al. 2000: 14).

Turnout

The turnout in South Africa's three elections has been considered high, ranging between 76.7 percent and 89.3 percent (Election Synopsis 2004, no. 4: 30). The number of votes posted has declined, mainly because of stricter rules for voters' registration (e-Politics 2005, edition 2: 2). In 1994 it was considered more important to have an election than to have a perfect election. There were abnormalities, accusations of voters casting more than one vote and parties registering dead people, but not on a scale that would undermine the legitimacy of the election.

The total number of votes decreased with one fifth from 1994 to 1999, from about 19.5 million to 15.6 million votes. It was a few hundred thousand further down in 2004 (e-Politics, edition 2: 2). From 1994 to 2004 the opposition vote has declined with 36 percent, from 7.3 million to 4.7 million votes. The ANC vote has declined with about 10 percent from 1994 to 2004 (they gained votes from 1999 to 2004), from 12.2 million to 10.9 million votes. IDASA has found that the ANC electorate is rather stable, while the opposition votes are shifting somewhat more (Ibid: 3). Altogether there has been a serious decline in the number of votes cast during the first ten years of democracy.

If the voters roll is limiting the number of votes severely; it may cause a legitimacy deficit based on Beetham's dimension of expressed consent. In 1999 there was a retrenchment of the voters' roll in South Africa; the main limitation was a new ID document which all voters had to possess. Also in 2004 the system of registration limited the number of people being able to vote⁹. Before the election about 23 million people intended to vote, but only about 20.7 million were registered in the voters roll (Friedman 2004:3). Of those 15.6 million people cast a valid ballot (Election synopsis no 4: 30). By comparing the number of votes cast to the number of the population above the age of 18, one gets an idea of what the turnout would be without any restrictions at all. From a population of 44.8 million people 15.6 million votes were cast (Census 2001 [homepage]). Looking at the age composition of the population 17.3 million people were 17 years or younger in 2001. That leaves 27.5 million people of 18 years or older¹⁰. The turnout calculated on the basis of this number is 57 percent. This is a very low turnout compared to other democracies. The equal calculation for Norway gives a turnout of 73 percent in 2001¹¹ (SSB 2005 [homepage]). Compared to other Sub-Saharan African countries for which the Afrobarometer has got information, South Africa did have a higher turnout in 1999, both as percentage of registered voters and as percentage of eligible voters (Bratton et al 2005: 145). Numbers are not yet available for the 2004 election.

Another measure of limitation of the vote is the number of people registered in the voters' roll compared to the population of 18 years or older. In South Africa 75 percent of the population of 18 years or older was in the voters' roll for the 2004 election (Election synopsis no 4: 30). In Norway 97 percent of the population had the right to vote in 2005 (SSB 2005 [homepage]). These numbers show that there are limitations of the voters' roll in South Africa which prevent 25 percent of the South Africans to vote. One reason for the difference between Norway and South Africa is the many

⁹ To register a person needs to: 1) apply for registration in person, 2) be a South African citizen and 3) possess and show a valid barcoded identity document or valid temporary identity certificate (IEC 2005 [homepage]).

¹⁰ In Census 2001, age was divided in groups of 5 years. Therefore I do not have the exact number of South Africans eligible to vote, but have calculated it from the numbers from Census 2001.

¹¹ Number of valid ballots in Norway: 2 535 776, population of 18 years or older in 2001 calculated from the same numbers as for South Africa: 3 458 033.

non-South African citizens who live in South Africa. They do not have the right to vote. But another reason is probably that you actively have to register to vote in South Africa, while in Norway you get registered automatically. This comparison shows that the turnout for South Africa is not as high as it is sometimes regarded as.

Political tolerance

Political tolerance in a democracy is to accept political opponents in the competition for governmental power. Numbers from IDASA from the late nineties in a survey called “Opinion ’99” show that about a quarter of all South Africans would participate in actions to prevent their political opponents in competing for political power¹² (Stene 2002: 99). Black South Africans are more prone to such intolerable behavior than White South Africans. My interviewee number 3 in Khayelitsha said she would like to participate actively in the ANC, but she did not because she was afraid of reactions from her community. Even though they were all voting for the ANC, she was afraid that if you got any privileges from engaging in the ANC, people would be jealous and therefore turn to violence. Therefore she rather engaged in community work than politics. This is an example of political intolerance not only preventing political opponents, but also preventing political engagement all over.

When I asked former political journalist Barry Streek and Jonathan Faull at IDASA about political tolerance, they both understood it as political violence. They both said that there is less political violence than one could have feared in a divided society like the South African (2005 [interviews]). There has been little violence, and people of all races participate through the democratic channels. There are several incidents of political violence every year, but all over levels of political violence is low. After the transition many Whites feared that they would not be able to stay in South Africa, that they would be forced to move, but this has been refuted.

¹² Intolerable behavior is to prevent your political opponents from either living in your community, giving political speeches, opening a campaigning office in your community, election campaigning in your community or visiting people in your community to ask for political support.

6.2 The strong ANC

The people I spoke to in Khayelitsha, talked about the history and about ANC giving them freedom when I asked them about the ANC. To the people I spoke to, the ANC as a liberation movement still is very present. Some of them looked at me with surprise when I asked if they had considered voting for anything else than the ANC. But there are also other aspects that make the ANC able to mobilize more than two thirds of the votes in South Africa today.

ANC's history of being a liberation movement makes it special as a party. As described above, it has delivered very much to the people in South Africa when it comes to freedom and rights and democracy. And people still believe that the ANC can make their lives better. ANC has been the party that introduced democracy, and people may regard it as a guarantee for democracy as well. The biggest opposition party, the DA, mainly mobilizes white people and they use the racial differences in their competition for votes. This may suggest a similarity to the National Party (NP) which was responsible for the apartheid system. The strong connection between the ANC and democracy and a possible connection between the DA and the NP may result in a strong vote for the ANC out of fear of the return of authoritarianism. It is part of what Adam Habib characterizes as the "honeymoon phenomenon" (Habib 2005: 47).

Some will argue that the strong support for the ANC is explained by ethnicity. Most Blacks do vote for the ANC. In central Khayelitsha the ANC vote is about 90-95 percent. Khayelitsha is in the province of Western Cape where the ANC has the lowest vote of the nine provinces (46.3 percent). The strong ANC vote among Blacks may also be caused by black people feeling that they have no alternative to vote for. The DA is a party for white people. And except for the IFP in KwaZulu-Natal, the other opposition parties are very small. One man I spoke to in Khayelitsha said that a vote for the opposition would be a waste of vote (Khayelitsha 2005 no 10 [interview]).

Party identification

Party identification with the ANC was strong, but has been declining. In 1994 75 percent of the black voters said that they identified with the ANC in the post-election

survey¹³ (Mattes 2005: 10). In 2003 the same number was 55 percent; the party identification among Blacks is thus declining. In the same time period, the ANC vote has been stable while the opposition vote has been shifting around (e-Politics 2005, edition 2: 3). The reason for an increasing ANC-share of the votes in the national elections is a decline in the opposition vote.

When the party identification is declining but people still vote for the ANC, this may be because of a lack of alternatives. If there was a viable opposition to vote for, people might have done so. On the other hand the opposition vote is probably small because of the same reason: the ANC taking up too much of the political space, so there is not much left to the opposition. And if party identity is strong for the people voting for the ANC, it may limit the political space even more. A loyal ANC constituency may be inclined to vote for the ANC even if it does not consider their interests.

Iron law of oligarchy

How strong is the ANC holding on to the power it has got? The main opposition party, the DA, is accusing the ANC of changing the structures of governance so that they get increasingly strong. They claim that the ANC are “integrating the state in the organization” (Coetzee 2005 [interview]).

Mbeki is certainly regarded as having a strict party discipline. Barry Streek describes Mbeki as a President with an authoritarian style; he is demanding great control over the party (2005 [interview]). Mbeki has extended his powers to decide appointments, for instance by now appointing the political leaders in the provinces, the Premiers (Ehrenreich 2005 [interview]). The economic strategy of GEAR was also adopted in a less democratic way than its predecessor, the RDP. GEAR was adopted by the Government rather than by the members of the ANC, and without the participation of the Tripartite Alliance. Mbeki is accused of having brought with him the closed culture of the exiles in the government (Gumede 2005: 133-134). This involves a strict discipline and decisions made by the central leadership without the democratic involvement of the members, a centralizing of power. In an analysis of democratic

¹³ Black people make out 80 percent of the population (Census 2001 [homepage])

consolidation in Africa on the basis of the Afrobarometer 2001, South Africa does not get a high score compared to other Sub-Saharan countries (Bratton et al 2005: 325-326). An important explanation for this is that the ANC government is “concentrating power in executive hands” (Ibid: 326).

Inside the ANC the question is if one finds the “legitimate opposition” that Lipset describes as preventing the leaders from clinging on to their power like oligarchs. Such an opposition may occur after an organization is exposed to a crisis. Fractions develop, which in time turn into a legitimate opposition. The ANC was exposed to a major change in the beginning of the nineties, becoming a political party and winning the first democratic election. From being an illegal organization with branches all over the world as well as in prisons and in secrecy in South Africa, it was unbanned and the different parts were brought together. Different cultures dominated the organization. The ANC claims that the conflict between the different cultures has been dealt with (Sizane 2005 [interview]); by others the culture of the exiles is regarded as having won with Thabo Mbeki as ANC president (Gumede 2005: 137). The ANC claims that there is a lot of debate and opposition inside the party today.

In the government structure, the Alliance can be considered to be an opposition. The alliance partners are represented in the government and also in ANC’s democratic institutions, like the congress every fifth year. Both COSATU and SACP are trying to pull the ANC to the left (Ehrenreich 2005 and Magaxa 2005 [interviews]). Even though they have more than two-thirds of the members in Parliament, the ANC government must consider the interest of their alliance partners. SACP and COSATU complain that they are not heard in the Alliance, only when there is an election around the corner, but the ANC is very aware of the Alliance and its support. The Alliance is often mentioned both by the ANC and in the media. When the economic strategy RDP was adopted in 1994, it was a result of a negotiation inside the Tripartite Alliance. When GEAR was adopted in 1996, the alliance had less impact (Ehrenreich 2005 [interview]).

COSATU is opposing to the ANC through demonstrations and strikes and showing ANC that they have power through the masses they are able to mobilize. There have been several mass demonstrations and strikes against the economic policy of the government. There were for instance several strikes against GEAR in the late 90's. The last half of 2005, COSATU has promised monthly strikes demanding the government to do more about the unemployment in South Africa (Mail and Guardian June 24th). This opposition is too strong to be ignored by the Government. Even though the centralized culture of Mbeki is regarded as dominating the ANC now, there is a chance that this will change because of strong fractions opposing to this culture.

Personal interests, like keeping a job, are also a reason for an organization turning into an oligarchy (Lipset 1962: 17-18). In a country with a high unemployment rate like South Africa this is of interest. Fear of job losses may result in the ANC leadership making an effort to stay in power. The alternative to be in government may well be to be unemployed. This applies to the ANC members is government, and to the people employed in the government through COSATU and the SACP.

As for opposition from other organizations, the ANC government does accept all political rights and freedoms as they are expressed in the UN Declaration of Civil and Political rights, and in the South African Constitution. But it has struck hard down on illegal protesting. The government claims that during the apartheid regime it was legitimate with illegal protests, but a legitimate state requires legitimate protests, which is legal protesting (Ballard 2005: 89). Whether this is a limitation to political opposition or not depends on the access to protest legally. If this is narrow, there is need for illegal protesting as well to express opposition. According to Richard Ballard at the University of KwaZulu-Natal, the social movements have been denied the right to protest marches and have been arrested when they have gone through with it on several occasions (Ibid). On the other hand there is a strong voice from the civil society in South Africa, the partners of the Tripartite Alliance being leading forces. Freedom House also rates South Africa as free and respecting the human rights, and compliments a "lively protest scene" (Freedom House 2004 [homepage]).

6.3 The Weak Opposition

A functioning democracy needs what Adam Habib calls “substantive uncertainty” (Habib 2005: 47). This implies that there has to be real competition for governmental power. The opposition in South Africa is weak. There are many opposition parties, but none of them get any significant share of the votes. The DA claims it is a strong opposition party even though it doesn’t get a great percentage of the vote (Coetzee 2005 [interview]), but when it comes to seats in the Parliament, it is the percentage that counts. What is more – the ANC has got more than two thirds of the seats, and this makes them able to make any decision they want, even changing the Constitution.

Party opposition

There are a range of opposition parties in South Africa, and in general they are all very small. The DA is the biggest one, getting 12 percent of the votes in 2004 (IEC 2005 [homepage]). Some of them are strong in one province, but do not get many votes when competing on a national level for seats in Parliament. For instance the Inkhata Freedom Party (IFP) got 35 percent of the votes in KwaZulu-Natal in 2004, but it only got 7 percent of the votes on a national level. In the Western Cape, where I did my field work, the ANC is rather weak compared to the rest of the country, and the DA is very strong. The ANC got 46 percent of the votes, while DA got 27 percent. One radical left opposition party also did rather well in the Western Cape, the Independent Democrats, which got 8 percent of the votes, but on a national level they only got a mere 1.7 percent. This may indicate that some opposition parties have a potential, but that they do not have the resources to fight for votes in all provinces.

The share of the votes for the opposition parties in the different provinces is also explained by race. The Western Cape is the only province in South Africa where the majority is not black. More than 50 percent of the people in the Western Cape are coloreds, a little more than 25 percent are black, and a little less than 20 percent are white (Census 2001 [homepage]). The DA explains their strong position with this racial composition (Zille 2005 [interview]). The reason for IFP being so strong in KwaZulu-Natal is that more than 80 percent of the population is Zulu (Census 2001 [homepage]). But it also shows that many people do not vote according to race, since

the IFP got 35 percent of the votes in KwaZulu-Natal, less than half of the Zulu population voted for them. Still, racial voting is a problem for the South African democracy. The electorate does not explain their vote with racial identity, but at least in some provinces like KwaZulu-Natal and the Western Cape parties do mobilize a big share of the electorate according to race. Probably this tendency will be weakened in the future. The IFP is turning to family and tradition values and away from the “Zulu pride”, and the DA focuses on getting black support. But it may well be that the problem of racial voting will not disappear until the parties change. Today the ANC is dominating, especially among Blacks who make out 80 percent of the population. A split in the ANC would maybe lead the South African democracy towards substantive uncertainty, and a stronger opposition. As long as the ANC is so strong, and the opposition is only strong in some provinces, the Parliamentary opposition will probably remain weak.

Because of the opposition being stronger on the provincial level, the issues they promote during the election campaigns also appeal to a local electorate. The national election campaign is not very focused. The opposition parties on a national level all claim that they need your vote because the ANC is too strong, and one needs an alternative. The only party which has done this successfully is the DA. But still, they appeal mostly to white voters, and use the fact that they are used to the Westminster system where there is one ruling party and one strong opposition party.

There is not much room for party opposition, but except for the DA, the existing parties do not use the little room there is well either. It is too fragmented, and split according to provinces, and therefore not as strong as they could have been, had they been more united on a national level.

Issue-based Opposition, “Low politics”

During the recent years several social movements have sprung out in South Africa. Some of them have been very successful. The Treatment Action Campaign (TAC) has gathered many people in the fight for the rights of HIV/ Aids positive people in South Africa. They have managed to influence the Government, and have pushed them to

give medicine to people with HIV and Aids. Also the Anti-privatization Forum and the Landless People's movement have had successes and become political actors whom the government has to consider in the South African society. The strongest opposition on social issues is the Congress of trade unions, COSATU. Even though in alliance with the ANC, COSATU and the labor unions are frequently demonstrating against the government. They are demanding job creation and better conditions for the poor in South Africa. Local COSATU affiliated unions demonstrate against low government delivery.

The growth of social movements the last years may be because the political space for issue-based opposition is bigger than the space for party opposition. Some voters consider it to be a waste of vote to vote for the opposition. If ANC is the only viable alternative to vote for, the only way of influencing government policy is to engage in a movement. People may consider this to have more effect than voting for the opposition in South Africa (Faull 2005 [interview]). The ANC has got strong support in the electorate, but at the same time there is a lot of criticism, especially on government delivery to the poor and how they have dealt with the problem of HIV and Aids. This makes room for issue-based opposition. People do not want the ANC out of government, but they want to influence their policy on specific issues. It takes less political space to mobilize for an issue like poverty reduction than it takes to compete for governmental power.

The issue-based opposition focuses on how politics is executed rather than on the power structures, for instance how a government is elected (Beetham 1991:156). This kind of opposition does not challenge the power of the dominant like party opposition does in an election. Still, if a substantive part of the South African electorate joins social movements and expresses their discontent with the government, it will result in a delegitimation of their authority. This has happened in some Latin American countries, for instance in Argentina where governments were replaced repeatedly in a short period of time in the beginning of this decade because of mass demonstrations. This is not the situation in South Africa, but it shows the importance for the

government of taking these movements and protests seriously, especially when the party opposition is as weak as it is in South Africa.

COSATU is campaigning on a broad set of issues. They arrange mass demonstrations and strikes with focus on different socioeconomic issues. Monthly strikes in the last half of 2005 are demanding that the government should do more to create jobs. During the summer of 2005 protests have turned violent several places in South Africa (The Star August 9th 2005). The unions are gathering people with an increasing dissatisfaction with the ANC government. It seems like the frustration is growing even though it doesn't show in elections. This opposition is too strong to be ignored.

COSATU is not only protesting on different issues, they are also forming alliances with like-minded movements. They are part of the "People's Budget Campaign" in company with the South African Non-Governmental Coalition and South African Council of Churches. The campaign works out an alternative to the public budget created by the government (People's Budget 2005). In August 2005 COSATU launched a new coalition working for economic reforms favoring the poor, representing more than 70 organizations from the labor, the church, NGOs and others (SAPA August 23rd 2005).

COSATU is part of the Tripartite Alliance with the ANC in Government, but is also creating other coalitions when they regard it as strategic (Mail and Guardian August 12th 2005). It is not challenging the power of the ANC, it is inviting them to join the other alliances, but they are creating power structures outside the Tripartite Alliance. COSATU is thus not only operating with "low" politics, but also "high" politics.

A possible way of increasing political space is the development of new socioeconomic classes, or restructuring of socioeconomic classes (Linz 1980:167). The middle class is growing in South Africa, and it is mainly the middle class which engages in the social movements (Faull 2005 [interview]). No party in South Africa has been able to mobilize the middle class. If the opposition could mobilize them, it would be stronger.

The campaigns and alliances of COSATU, the growing middle class and the creation of a number of social movements are all signs of an increasing opposition to the ANC, and a more effective use of the political space which is available in South Africa. If the ANC takes the strong support they get for granted and do not listen to the protests, there is a chance of a decline in their legitimacy.

6.4 The Tripartite Alliance

The ANC is trying to be a “broad church for all”. It has succeeded in mobilizing a broad spectrum of people. The Tripartite Alliance causes the ANC to cover even more of the political spectrum than it would have done otherwise.

Both COSATU and the SACP are left of the ANC on the political scale. The SACP calls upon their electorate to vote for the ANC. This limits the political space to the left. If the SACP was competing in elections, IDASA expects them to have got about 15-17 percent of the votes. So what would have been the largest opposition electorate is now voting for the party in position. The Alliance makes the ANC stronger, and it pushes the opposition in Parliament to the right since the ANC covers the opposition parties to the left. In other words, the ANC covers more of the political space to the left than to the right. This may be a reason for the biggest opposition party being the conservative-liberal DA.

The Tripartite Alliance is in the interest of the SACP because it gives influence in the Government. It may be regarded as limiting the political space by preventing opposition to the left. This reduces the substantive uncertainty in the South African democracy. COSATU is also given influence with the Alliance. There is a chance that COSATU would have opposed more to the government if it was not in alliance with the ANC. The Alliance makes the biggest actors on the left side in South African politics compete together and cooperate rather than being in opposition to each other. The political environment in South Africa has been one of cooperating and alliances ever since the ANC became influential. This was how it got the apartheid government

to step down, and how ANC managed to agree upon a new democratic government after the fall of apartheid (The Government of National Unity).

A culture of cooperating and negotiating may be a constructive and good one, but it may also give some actors too much power. In a democracy like the South African with many different interests, substantive uncertainty is a guarantee for all interests to be considered (Habib 2005: 47). An alliance between the biggest actors to the left in South African politics may reduce the substantive uncertainty.

6.5 Khayelitsha

In Khayelitsha 90-95 percent of the registered voters vote for the ANC¹⁴ (IEC and Municipal Demarcation Board 2005 [homepages], see appendix 3). All ten people I interviewed in Khayelitsha supported the ANC, they had voted for them in every election where they had the opportunity to do so¹⁵, and they had never considered voting for anything else. Almost everybody they knew also voted for the ANC, one knew someone who voted for the UDM (Khayelitsha 2005, no 7 [interviews]) and two knew someone who voted for PAC (no 8 and 10). Interviewee no 10 said this was a “waste of a vote”; PAC wouldn’t get any power anyway.

When I asked people in Khayelitsha about what motivated them to vote for the ANC, most of the answers were about freedom, and about what the ANC has been to them during the struggle. Three mentioned Mandela, even if he is out of politics now (no 1, 6 and 8). “I’ve heard of ANC ever since school. Especially Mandela, he is my hero” (no 1). Many of the answers as to why people vote for the ANC go back in time in explaining it. The ANC have given people freedom and equality, and so they vote for the ANC. Some did mention material improvements they had got from the ANC, like housing and electricity. But none of them said anything about the ANC having a better policy than other parties, or being able to do a better job than others.

¹⁴ I have looked at 48 polling stations in central Khayelitsha which account for 109 626 votes all together. Some polling stations were just above 95 percent and some were just below 90 percent. Only in one of the 48 districts the ANC got just over 60 percent (Voting district 97142070: WO and NCO Club).

¹⁵ No. 2 had not voted in 1994 because she was too young and no 9 had never voted because she was only old enough in 2004 but then she didn’t get her ID in time.

None of the people I spoke to were active in the ANC. One had been so in his youth (no. 8). Some of them were active in community work, in the church (no 3), in the street committee (no 7), and some were employed in social work (no 2 without payment and 1, 6 and 8 with a salary). As mentioned before, interviewee no 3 even wished to participate in the ANC actively, but did not out of fear of reactions from her community.

The option of voting for anything else than the ANC seemed very distant for the people I interviewed in Khayelitsha. They trust the ANC's ability to make a change, and they are loyal to their liberators. But one also expressed that there is no alternative to vote for, the ANC is too strong.

6.6 Conclusion

If one is to follow Huntington's strict requirement for democratic consolidation that a post-transition government has lost elections twice and given up power peacefully, South Africa has a long way to go. There is no sign of the ANC losing an election yet. The ANC is too strong, and the opposition too weak.

The ANC covers a lot of the political space in South Africa today. The reason for this is both a strong ANC and a weak opposition. The ANC vote has been stable since 1994 and there are no signs of this changing after the 2004 election. One problem may be the lack of an alternative opposition to vote for. The ANC is covering a lot of the political spectrum, especially to the left because of the Tripartite Alliance. The rest of the opposition is fragmented, and is no threat to the governmental power of the ANC. Some of the people I spoke to in Khayelitsha stated that they will vote for the ANC the rest of their lives. From this example it seems like it will take a new generation of voters before people will vote for something else. But surveys show that party identification is not as strong in South Africa as it is in other countries, both Western and African. And the party identification is declining. This may be a sign of that South

Africans are likely to vote for another party if they see it as a real alternative to governmental power.

The best chance of increasing the political space in South Africa is a split in the ANC, or a break-up of the Tripartite Alliance. Both scenarios could lead to a strong opposition party to the left of the ANC. This could change the political scene in South Africa, and probably increase the political space for opposition.

Mbeki and the government are accused of centralizing state power. But there are strong voices opposing to government policy, especially from COSATU. The litmus test of how strongly the ANC is holding on to power will be the next presidential election, in 2009. At that point Mbeki has been President for two terms, and a new President is to be elected. Then we will see how influential Mbeki will be in the process.

7. LEGITIMATE?

The research question for this thesis is about the legitimacy of the ANC government and its sources. In this chapter I will sum up the discussions from chapter 5 and 6 within the framework of David Beetham's theoretical dimensions of legitimacy.

The authority of the ANC is strong, but it is moving away from Nelson Mandela and the liberation movement. The authority may remain; its source may be the changing factor. This may be part of what Max Weber calls "Routinization of charismatic authority".

Two other factors are crucial for the legitimacy of the ANC Government. The first is the delivery of the government, and the other is real competition for power. I will pick up these discussions from the two previous chapters.

7.1 Routinization of charismatic authority

As shown in chapter 5 one of the main sources of the ANC's authority today is charisma. This charisma will probably fade, as the liberation struggle is growing more distant. The source of authority of a government may change without the government losing their authority. In South Africa the source of authority shows signs of turning from charismatic to legal-rational. This is what Weber calls the "routinization of charisma". Once the source of the charisma (liberation struggle individualized through Nelson Mandela) is fading, the source of authority will be rationalized. Part of the routinization is less focus on person and more on position, for instance with Thabo Mbeki as the President of South Africa and not Nelson Mandela. Even if the charismatic authority of the ANC is fading, their power does not necessarily disappear, it changes (Weber 1971: 101). One source of authority is of course the strong support they get in the elections. I discuss this in chapter 7.3.

The use of the liberation symbols in demonstrations against the ANC as described in chapter 5 shows that the ANC and the ideology of freedom are separating from each other. This is part of a routinization of charisma. ANC's charismatic authority builds on the ideology of freedom and liberation. The charismatic authority is weakened when this ideological source is weakened.

Thabo Mbeki, from 1999 both ANC leader and President of South Africa, does not have the same charismatic authority as Nelson Mandela. He was in exile during the struggle. He is from a family of ANC activists; his father Govan Mbeki was imprisoned on Robben Island with Mandela. Thabo Mbeki was part of the struggle, gaining support for the ANC in exile and he was an important actor in the negotiations which lead to democracy. The struggle is still important for the authority of the ANC and its leaders. Mbeki does have some authority because of participating in the struggle, but he does not have the personal qualifications which give him charismatic authority. He is too distanced from the people. His style is the one of a British intellectual, smoking a pipe, wearing a suit; and his focus is on governing rather than on showing that he is "one of the people" (Gumede 2005: 58). The percentage of South Africans answering that they trusted the President a lot declined from 73 percent in 1998 to 41 percent in 2000, and has continued to decline (Afrobarometer, Mattes 2003: 4). At the same time Mbeki succeeded Mandela as President. The disappearance of the charismatic President Mandela may be a reason for this decline.

Thabo Mbeki has managed to get economic growth in South Africa. He has structured the fiscal policy and business believes in him. He has thus done a lot for business interests in South Africa. But he is not a man of the people, and a hero like Mandela was. The focus is turning away from person and to position, and this may involve a change in source of authority from charismatic to legal-rational.

During the first ten years of democracy, the President of the ANC has also been President of South Africa. The President is elected by the Parliament (Constitution 1996, section 86 (1)), and with the ANC having more than 50 percent of the members,

the ANC makes the decision. This year the ANC has opened up for the possibility of separating the two; saying that the next President of South Africa will not necessarily be the ANC President (Cape Times March 15th 2005). The reason for this may be Mbeki holding on to power. There is no limit as to how long he can stay President of the ANC, but he can only be head of state two terms, ending in 2009. It may also be fear of who will be elected next president of the ANC. The result of a separation of the head of state and ANC president will contribute to a routinization of the charismatic authority of the ANC. Separating the two positions will lead the focus away from one person. It would also clarify the division between the decision making process of the party ANC and of the government.

There may be a decline in ANC's charismatic authority because of the economic policy turning in a neo-liberalist direction. When asked about delivery of the ANC Government, the political left – including the Tripartite Alliance partners – criticize the ANC for having abandoned the Freedom Charter (People's Budget 2005:1). The Freedom Charter was adopted in 1955 in a very different society than South Africa is today. But the Freedom Charter in South Africa has a very special status, it is not only a policy document, but it is a written manifest over the struggle against apartheid. The policy in the Freedom Charter is the one that gave South Africans the vision of a new regime to come after apartheid. So for the ANC to abandon the policies in the Freedom Charter is to break the promises of a better life for many South Africans. Ben Sizane in the ANC argues that the ANC is only adapting to contemporary South Africa when they are deviating from the Freedom Charter (Sizane 2005 [interview]). The reason for this upsetting people is that the Freedom Charter represents the struggle and the promises of liberation, which is the same ideology that is the bases for the strong charismatic authority of the ANC. Abandoning the Freedom Charter may be regarded as one way of breaking down some of ANC's authority.

For South Africa this routinization of charismatic authority is an important process in the consolidation of democracy. As long as people see the ANC as liberators and their loyalty makes them vote for the ANC because of the changes they have made in the

past (giving them democracy), the democratic guarantees to prevent the misuse of power are not working. With Mandela leaving politics, there is less focus on person and more on position in South Africa. But the charismatic authority of the ANC will probably remain strong longer both because of the ANC as an organization has also got charismatic authority, and because of loyalty to the ANC. Even when Mandela is out of the Government and the liberation struggle is growing more distant, people are loyal to the liberation movement ANC. This slows down the process of routinization of the charisma. If the party would split and people had to consider other alternatives to vote for than the ANC of today, the charismatic authority would be redefined.

7.2 Government delivery

The constitution, and thereby the governmental system in a country must build on some kind of authoritative source. According to David Beetham the rules need to be justified through some shared beliefs to be considered legitimate. One precondition is that people accept subordination to the national government, that they feel part of the same nation state. In South Africa it is a problem for nation building that the socioeconomic division of the country is so big. If the government does not manage to change this, it will prevent a nation building and it may possibly cause a legitimacy deficit because of the government not considering the general interest of the citizens by leaving half of the population in poverty. South Africans do feel South African first, despite their racial groups (Khosa 2005: 145), but both culture and history are dividing them. The socioeconomic division could reinforce these cleavages.

People in South Africa do believe in the ANC Government's ability to solve the problems of the country. The ANC did give them democracy, so people trust that they can deliver other things too. But there are major cleavages and inequalities in South Africa today based on class and race, and these are addressed by more and more people, the labor unions through COSATU being especially visible in protesting.

A part of Beetham's dimension of rule-justification, is that a government must have a concern for the general interest. People will not accept subordination to a government

which does not consider their interests in any way. South Africa is divided economically. Class, at least the lower ones, is still decided by race. The economic elite has become more or less colorblind, but the poor are still black. This concern is always pronounced in public policies, but not much is changing. There is little sign of people moving out of the poorer classes. And as discussed in chapter 2, this has much to do with the many unskilled people in South Africa without a job. They have few chances of getting a job, and therefore small chances of improving their socioeconomic status. They will thus stay poor, and stay in the townships and rural areas. If nothing changes in this regard, the government may risk a legitimacy deficit.

Beetham describes a “manifest failure of performance” as a cause of legitimacy deficit. When half of the people in South Africa are poor, can one claim that the government has delivered? There are many things the government has not yet delivered; equality and jobs being the two biggest problems. But as Afrobarometer data and the example of the poor people I talked to in Khayelitsha shows, people still believe in the government’s efficacy. They did get freedom and equal rights from the ANC, and they believe that the ANC can solve their problems of today too. Even though there is a long way to go, because of people’s belief in the ANC, the government does not show a “manifest failure of performance” yet.

Another aspect of concern for the general interest, which I have not discussed until now, is corruption. If the politicians in power are only looking after their own interests, there may be a legitimacy deficit (Beetham 1991: 142). South Africa does have problems with corruption and also politicians misusing their positions to their own, their relatives’ or friends’ benefit. The case of Jacob Zuma is just one example of corruption in the leadership of the ANC. Zuma was deputy president in the government until he was charged with corruption in July 2005, he has not yet been on trial (October 2005). The government is eager to show that they are trying to do something about corruption. The government’s special investigating unit, “the Scorpions”, has got great credibility. They are investigating Jacob Zuma, a sign that they do not avoid investigating ANC leaders. Jacob Zuma has many and powerful

supporters like COSATU and SACP and many in the ANC too (Mail and Guardian, June 30th 2005). They do not believe the accusations against him. If Zuma continues to be elected as a leader in the ANC if he gets sentenced for corruption, the ANC may lose legitimacy in many people's eyes.

Several of the people I spoke to in Khayelitsha mentioned corruption or politicians being out for their own gain as a problem when asked what they thought of politicians (Khayelitsha 2005, no 1, 6 and 7 [interviews]). The Afrobarometer survey shows that more than 20 percent of the South African population think that the elected leaders of the country are corrupt (local and national), and almost 30 percent think that government officials are corrupt (Mattes 2003: 10). This may be a problem for the legitimacy of the ANC. If people do not trust that the politicians are promoting their interests, then they may withdraw their support for the democratic system. But the percentage of the population believing that the Members of Parliament are corrupt has declined from more than 40 percent in the late nineties to just above 20 percent in 2002 (Afrobarometer, Mattes 2003: 10). This may be a sign that the government is successful in their fight against corruption.

Another side of the general interest is the principle of differentiation between the dominant and the subordinate in South Africa. The dominant, defined as both the government and the economic elite, are socioeconomic much better off than the majority of the population. One way of explaining this differentiation is that they have the skills to do the job, and therefore deserve to be better off. The problem with this explanation in South Africa is that the majority of the people have never had the chance to get these skills. With the unemployment rate being about 40 percent, even with skills people may not have a chance to get a job. There is a major economic difference between the employed and the unemployed. People need to have the same chances; otherwise the principle of differentiation between the dominant and subordinate will become more and more illegitimate. There is an increasing demand through mass demonstrations and protests that the government must create more jobs.

If demands continue to grow and things do not change, the government may risk a legitimacy deficit.

The difference between the employed and unemployed people in South Africa is also a question of race. The unemployment is much higher for Blacks than for Whites (Tørres 2001: 8). The government has introduced affirmative action to change the white dominance in most sectors. This implies that there is a preference for black people when someone is employed¹⁶ (Department of Labour 2005 [homepage]). This causes frustration, especially among Whites, because they do not see skin color as a legitimate principle of differentiation when others have got the skills for the job.

7.3 A real choice of government

The other dimension of legitimacy I discuss is expressed consent. Expressed consent builds on the philosophical thought of there being a social contract for all citizens of a state, in which they accept the legitimate power of the government. For the citizens of a country to be able to express their consent with a government through an election, there must be a real choice of viable alternatives. In South Africa there is limited political space, the ANC mobilizes most of it. Since the ANC is so strong, it is likely that some people think it is a waste of vote to vote for something else than the ANC, like my interviewee no 10 (Khayelitsha 2005 [interviews]).

The ANC is in alliance with the major actors to the left, this limits the political space. Both inside and outside the ANC there is debate about a break-out by the leftists in the party, and there is also debate about a break in the Tripartite Alliance. A break either in the ANC or of the Tripartite Alliance could give South Africa a strong party to the left of the ANC, and it could open up the political space.

On the other hand the elections strengthen the legitimacy of the ANC Government. The ANC getting 70 percent of the votes does support the legitimacy of the Government. But there are limitations to the voters' roll, and this could be a potential

¹⁶ And other disadvantaged groups like women and people with disabilities

problem for the legitimacy of the government. But South Africans express their consent in other ways too. In 2004 there was a big celebration of the 10 years of democracy. ANC was central in the celebration; it was an ANC celebration as well. Many people were participating in the celebrations, and this was one way of expressing consent with both the “new South Africa” and with the ANC government because of the ANC being so present in the celebrations.

A way of expressing consent on an institutional level is negotiations. The negotiating parts accept the other part’s authority to negotiate (Beetham 1991:93). The ANC is governing South Africa with the partners of Tripartite Alliance. The members of COSATU and the SACP show their support for the alliance through collecting votes for the ANC. The alliance legitimizes the strong ANC and by joining the alliance the partners agree to the ANC being so strong in South Africa. They consider it to be better with a strong ANC than any alternative, for instance being in opposition to the ANC, or that the opposition to the right should be stronger compared to the ANC.

There is an increasing opposition in South Africa through issue-based movements. They do not focus as much on changing the power structures as on “low politics”. But as it gets bigger, it will force the ANC to consider the criticism. The fact that the mass demonstrations arranged by the movements are becoming more violent is a sign of growing frustration with the Government. If the government does not do anything about the demands they risk a legitimacy deficit.

7.4 Conclusion

I began this thesis by telling of an Ethiopian woman who voted for the governing party because it was the party with power. With that as a background I wished to explore the legitimacy of the ANC government in South Africa. Legitimacy is essential to the process of democratic consolidation. Legitimacy is about people’s beliefs in the government, and it is about democratic institutions letting the population express their beliefs.

The ANC has got many characteristics which fit with Weber's concept of charismatic authority. Their past as a liberation movement and the leader Nelson Mandela are probably the most significant ones. I have argued that even though there is a lot the ANC does not deliver, this charismatic authority makes people believe in their efficacy, their ability to solve the problems of the country. I have argued that a routinization of the charismatic authority is crucial for the democracy in South Africa. Otherwise we will see a continuation of what Adam Habib calls the "honeymoon phenomenon", the ruling party of a young democracy knows that it will get strong support anyway, and so it fulfills the interests of the global business rather than the interests of the people in the country. This way there will be no change in the economic distribution in South Africa.

The other main challenge for the legitimacy of the ANC government is the limited political space in the country. The ANC got 70 percent of the votes in the last election, which leaves little room for opposition. With the Tripartite Alliance the ANC is covering the left side of the political spectrum. The rest of the opposition is fragmented and not a real threat to the power of the ANC. The opposition is not using the available political space effectively. But there is a growing issue-based opposition in South Africa through social movements. The labor movements, COSATU being the leading force, are increasingly arranging mass demonstrations and strikes. The issue-based opposition is not challenging the ANC's power in government, but they are showing a growing dissatisfaction with government delivery in the population.

The great inequality in South Africa is a major problem for the ANC government. The poor people are becoming impatient to see a change in the economic structures. A democratic government needs to do something about such great inequalities to stay legitimate. The people of South Africa are loyal to the ANC, and this preserves their legitimate authority. Still a growing dissatisfaction tells of a possible legitimacy deficit if the ANC government does not allow for this criticism and listen to the demands for change.

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